

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
CrI. Misc. Appln No.125 of 2019

Date	Order with signature of Judge
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Present: Mr. Justice Nazar Akbar

Appellant : Syed Mehboob Hussain Nizami,
through Mr. Abid Akram, advocate.

Versus

Respondent No.1 : The State,
Respondent No.2 : Incharge Investigation

Ms. Seema Zaidi, DPG for the State.

Respondent No.3 : Mukhtar Ahmed

Date of hearing : **10.05.2019**

Date of decision : **20.05.2019**

JUDGMENT

NAZAR AKBAR, J:- This Criminal Miscellaneous Application is filed by the applicant against the order dated **14.07.2018** passed by the VIIth Civil Judge & Judicial Magistrate, Central, Karachi on the report submitted by Investigating Officer.

2. Learned trial Court after hearing the parties, by order dated **14.07.2018** has disposed of the report in "C" class. Therefore, the applicant has preferred instant Cr. Misc. Application.

3. On 10.5.2019, I have heard the learned counsel for the applicant when after argument the counsel wanted to reply on case law which he has not brought. However, he was given two days to provide any case law but he has not done it. I have also perused the record.

4. The record shows that no cognizable offence was made out by the complainant before the trial Court, therefore, the trial Court has disposed of the report in "C" class submitted by Investigating Officer.

In this context the observations of the trial Court in the impugned order are well reasoned which are reproduced below:-

.....“Perused the police papers including the case diaries, statement of PWs U/s. 161 Cr.P.C and have gone through the evidence available in police papers as well as investigation carried out by the I.O and material collected during the investigation. Both parties have settled their dispute outside the Court. Complainant of this case namely Mukhtar Ahmed S/o. Hameed Ullah submitted an affidavit wherein he stated that he has resigned from the post of Sadar/president and he do not want to proceed the case further, the Court may approved the C Class. I/O also obtained opinion of SSP Investigation and learned Prosecutor, in view of the above, whilst agreeing with the final report; I disposed of the matter under “C” Class.

4. Since matter has been settled outside the Court between the parties, and there has been nothing left to be examined by the Court.

5. In view of the above, no case is made for interference in the impugned order by this Court; therefore, this Crl. Misc. Application being devoid of any merit is dismissed alongwith listed applications.

SM

JUDGE