

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. Misc. Appln. No.210 of 2019

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

Fresh Case

1. For hearing of M.A No.4173/2019 (Ex/A)
2. For hearing of main case

08.05.2019

Syed Feroz Ali, applicant present in person.

NAZAR AKBAR, J:- This Criminal Miscellaneous Application is filed by the applicant against the order dated **30.11.2018** passed by the Sessions Judge, Ex-Officio Justice of Peace, District Karachi Central, Karachi, whereby dismissed the petition of the applicant.

2. Learned trial Court after hearing the parties, by order dated **30.11.2018** dismissed the petitioner of the applicant. Therefore, the applicant has preferred instant Cr. Misc. Application.

3. I have heard the applicant present in person and perused the record.

4. Since 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:-

....."Perusal of the material collected during investigation reveals that no any documentary proof was given by the complainant to the I/O in support of his allegation against the accused. Even the complainant failed to produce the original scribe of Aaqnama under which the Aaqnama was made published by the accused in newspapers.

Moreover, nothing on record or produce by the complainant that the accused obtained any benefit from the said Aaqnama by whatsoever manner to support the contention of the complainant that the accused was fraudulently published the Aaqnama in newspapers with the name of his father”.....

4. Since there is a dispute of civil nature, however, if applicant is aggrieved by the order of the trial Court, he may take remedy available under the law.

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