

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. Misc. Appln. No.251 of 2019

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

1. For orders on M.A. No.5293/2019 (U/A)
2. For orders on M.A No.5294/2019 (Ex/A)
2. For hearing of main case

31.05.2019

Mr. Saleem Khan, advocate for the applicant.

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NAZAR AKBAR, J:- This Criminal Miscellaneous Application is filed by the applicant against the order dated **06.04.2019** passed by XXII Civil Judge & Judicial Magistrate East Karachi, whereby disposed of report under Section 173 of the Cr.P.C submitted by I.O ASI after completing investigation in 155 of the Cr.P.C.

2. Learned trial Court after hearing the parties, by order dated **06.04.2019** has disposed of report under Section 173 of the Cr.P.C. Therefore, the applicant has preferred instant Cr. Misc. Application.

3. I have heard the learned counsel for the applicant and perused the record.

4. Since there is a dispute of the applicant's wife with her previous husband. In this context the observations of the trial Court in the impugned order are well reasoned which are reproduced below:-

injury mentioned in MLC submitted by applicant is non cog.

.....“Perusal of report transpires that the dispute between the complainant and proposed accused is of family that has been tried to convert into criminal proceedings which unwarranted. There is no independent witness of occurrence of crime even watchmen were present at gate but none has stated

about crime. No incriminating material has been produced before Court for taking cognizance and prima facie matter is of no evidence”.....

Applicant may file direct complaint under **Section 200** of the Cr.P.C

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 application.

JUDGE

SM