

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Crl. Misc. Appln. No.147 of 2018

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DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)  
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For hearing of Cases

**12.06.2018**

Mr. Asif Ali, advocate holding brief for  
Mr. G. M. Bhutto, advocate for the Applicant.  
Ms. Rahat Ahsan, Addl. P.G.  
ASI Dayanand P.S Shah Faisal Karachi.

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By consent of learned Addl. P.G case is remanded back to the District & Sessions Judge (East) Karachi for calling report from SHO Shahrah-e-Faisal and pass afresh order on application under Section 22-A Cr.P.C. It may be mentioned here that observation of the learned District & Sessions Judge that case falls under Section 6 & 7 of ATC Act, therefore, the applicant should approach the ATC was patently illegal. Anti-Terrorism Court is not supposed to order for registration of FIR under Section 22-A Cr.P.C. When Court comes to conclusion that a case is made out for lodging of FIR under whatever provision, an application for lodging of FIR cannot be dismissed. Once the FIR is registered in accordance with law it is for the prosecution to take further steps in the light of FIR, it may be triable by any Court, including ATA Court. Therefore, apparently the learned Judge has passed the order in misconception that under Section 22-A Cr.P.C or under any provisions of law the aggrieved party may approach the ATC.

With the above observation, this Crl. Misc. Application is remanded for decision afresh within two weeks under Section 22-A Cr.P.C.

JUDGE