

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P No.S-2305 of 2018

Date	Order with signature of Judge
------	-------------------------------

Fresh Case

1. For orders on CMA No.9309/2018 (U/A)
2. For hearing of main case.

23.10.2018

Mr. Irshad Mughal, Advocate for petitioner.
Petitioner is present in person.

1. Urgency granted.
2. This petition is filed with factual controversies. The Petitioner claims that he was picked up by the police on 21.10.2018 and Respondents No.1 and 2 have demanded a sum of Rs.14,00,000/- from the Petitioner. The Petitioner was released after 11 hours with directions that he will make payment of Rs.14,00,000/- within three days otherwise he will be booked in in false FIRs. With the above factual allegations, he has made the following prayers:-

In view of the above it is respectfully prayed that the respondent No.1, 2 & 3 may be directed not to harass the petitioner and his family by extending threats of booking him into false and bogus FIR and also be restrained not to make illegal demand of Rs.14,00,000/- (1.4 million rupees) within three days.

The Respondent No.4 may also be directed to hold a court of enquiry against Respondent No.1 to 3, for showing such gross disobedience of law.

Any other relief that may be fit and proper in the circumstances of the case.

Learned counsel for the Petitioner was directed to satisfy the Court that how the allegations of facts alleged by the Petitioner against the official respondents can be examined and decided either

way in the constitutional jurisdiction of this Court. He repeatedly insisted that notice may be issued to the Respondents or this Court that the Court is to answer where the Petitioner should go from here. The Court repeatedly asked learned counsel to show the law on the basis of which this petition could be maintained. The Petitioner's counsel has failed to point out any rule of law or constitution to entertain this petition. It may be appreciated here that the Petitioner remained in custody of police for almost 11 hours but neither his family members nor anyone else has sworn affidavit that the Petitioner was picked up by the police. The Petitioner after his release has not even sent a formal complaint against the police officials to CPLC or any higher officials of police to hold an enquiry, if at all. He straight away has approached this Court with the allegations of factual nature.

In view of above, this petition is dismissed being not maintainable.

JUDGE

*Ayaz Gul/PA**