

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-7106 of 2019

Date Order with signature of Judge

Before:-
Mr.Justice Muhammad Ali Mazhar
Mr.Justice Yousuf Ali Sayeed

Baradio s/o Muhammad Ali JakhroPetitioner

V/s

Province of Sindh
& others..Respondents

07-10-2020

Mirza Sarfaraz Ahmed, Advocate for the Petitioner.
Mr.Shaharyar Mahar, Assistant Advocate General.
Syed Mureed Ali Shah, Advocate for Respondent No.15
Respondent No.5 Muhammad Ibrahim alias Karo is
present in person.

Muhammad Ali Mazhar, J: The petitioner has prayed for the directions against the respondent Nos.5 and 6 to start crackdown against the Ghutka Mafia within territorial jurisdiction of District Thatta and District Sujawal. The order dated 29.1.2020 reflects that learned counsel for respondent No.15 argued that due to some land dispute the petitioner had dragged the respondent No.15 in false case of Ghutka manufacturing in Thatta, whereas learned counsel for the petitioner argued that earlier also FIR was lodged against the respondent No.15 for Ghutka manufacturing, but learned counsel for the respondent No.15 submits that he was acquitted from the charge. The D.S.P. Thatta was present on that date. It was directed by us to conduct inquiry and submit report.

2. The Senior Superintendent of Police, Thatta (Respondent No.5) submitted his report dated 27.2.2020, presented on 09.09.2020, which shows that D.S.P. Complaint Cell Thatta

called both the parties for inquiry. The statement of residents were also recorded in which it was found that the respondent No.15 was involved in the illegal business of manufacturing and selling of Ghutka and cases were also registered against him at P.S. Thatta and P.S. Makli, but now he has withdrawn from his illegal business according to Naik Murds of the area and now he is not involved in any illegal business nor any such complaint was lodged against him.

3. Though the report is available on record, but learned counsel for the petitioner submits that the respondent No.15 is still involved in the same business. In order to ascertain whether the respondent No.15 was involved or not, proper inquiry has already been conducted and the report of S.S.P. Thatta is available on record.

4. At this juncture, learned Assistant Advocate General has also given clear statement that the Sindh Prohibition of Preparation, Manufacturing, Storage, Sale and Use of Gutka and Manpuri Act, 2019 has been promulgated and he assures that if any person including the respondent No.15 found involved in manufacturing and selling Gutka and Manpuri necessary action shall be taken by the police under the provisions of Sindh Prohibition of Preparation, Manufacturing, Storage, Sale and Use of Gutka and Manpuri Act, 2019. The learned counsel for the petitioner is satisfied.

5. The petition is disposed of accordingly. However, the respondent Nos.3 to 14 shall ensure and continue strict vigilance and action against the menace of Gutka/Manpuri etc. in their jurisdiction.

Judge

Judge

