

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr. Rev. A. No.S- 93 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objections.
For hearing of main case.

18.12.2020.

Mr. Saeed Ahmed Wagan, Advocate for applicant.

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The applicant by preferring the instant Criminal Revision Application has impugned an order dated 04.11.2020 passed by learned Additional Sessions Judge, Hala whereby he has declined to take cognizance of an offence punishable under Section 324 PPC against the accused involved for such offence by making a conclusion that ingredients of section 324 PPC are missing in the case.

2. It is contended by learned counsel for the applicant that the injuries were caused to the injured with intention to commit their murder and they were also fired at by the accused with intention to commit their murder therefore, learned Additional Sessions Judge, Hala ought not to have refused to take cognizance of the offence punishable u/s 324 PPC against the accused. By contending so, he sought for

setting aside of the impugned order after notice to the respondents.

3. I have considered the above arguments and perused the record.

4. There is nothing on record which may suggest that the injuries to the injured were caused by the accused with intention to commit their murder. The firing was ineffective one. There is no recovery of empty from the place of incident and FIR was lodged with delay of about 16 days. In that situation, learned Additional Sessions Judge, Hala was right to make a conclusion that ingredients of section 324 PPC are missing in the case by way of impugned order, which is not calling for interference by this Court by way of instant Criminal Revision Application. It is dismissed in limine together with the listed application.

JUDGE