

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P.No.D-7959 of 2019

Fresh case

1. For orders on CMA No.524/20
2. For orders on CMA No.35083/19
3. For orders on CMA No.35084/19
4. For hearing of main case

10.01.2020

Mr. S.M.Ishrat Ghazali, advocate for petitioner.

The facts in brief necessary for disposal of instant constitution petition as per petitioner are that the Educational Certificates of the respondent No.5, who happened to be his wife on verification have been found to be forged by the Authorities Concerned, for that the respondent No.1 be directed to initiate enquiry to ascertain that who is responsible for such forgery. By praying so, the petitioner has also sought for direction against respondent No.1 to 3 that they may not involve him in a false criminal case at the behest of respondents No.4 to 8.

It is contended by the learned counsel for the petitioner that the culprits who are involved in alleged forgery are liable to be prosecuted for that an enquiry is necessary. By contending so he sought for direction against the respondent No.1 to initiate the subject enquiry.

We have considered the above arguments and perused the record.

If it is believed that the petitioner is having a feeling that respondent No.5 was having a forged Education Certificates, which constitute an offence then there could be made no denial to the fact that this court could not order for enquiry only to determine the actual culprits involved for such

forgery, in exercise of its constitutional jurisdiction. However, in respect of alleged forged documents and its use by respondent No.5, the petitioner may avail the remedy in accordance with law, if so advised. If the petitioner is having a feeling that he is going to be involved in a false case by the police then he has a remedy to prove his innocence by joining the investigation before the police. The registration of FIR is a legal work and no official could be restrained from discharging his lawful duty under any circumstances.

The instant petition being misconceived is dismissed in limine together with the listed applications.

JUDGE

JUDGE