

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

CrI. Misc. Application No. S- 138 of 2018

1.For Hearing of Main Case.

2.For hg of MA 1088-18

04-06-2018

Mr. Rana Hafiz Tanveer Ahmed Advocate for applicant a/w applicant.

Mr. Muhammad Arif Malik Advocate for respondent No.3.

Mr. Zulfiqar Ali Jatoi, Additional P.G for the State.

ORDER

Applicant has challenged the order dated 16.02.2018, passed by ex-Office Justice of Peace, Naushehro Feroze, whereby his application under section 22-A CrPC was allowed.

2. Case of the complainant (respondent No.3) is that on 22.01.2018 at 04.30 p.m, applicant caused robbery of Rs. 4500/- and issued threats of dire consequences to the complainant.

3. Learned counsel for applicant contends that dispute is between brother of applicant and complainant with regard to monetary transactions, who is residing abroad and in order to compel brother of applicant, complainant has filed this false application under section 22-A CrPC against the present applicant.

4. Learned ex-Officio Justice of Peace in his order has contended that he has examined report of SHO, P.S, Moro, whereas SHO, P.S, Moro was not party. Moreover, documents appended by learned counsel for complainant shows series of FIRs between brother of applicant and complainant regarding issuance of cheques and dishonouring the same. As per applicant, he has independent business and has no concern with his

brother; even he has no need to commit such robbery. Admittedly, applicant is not involved in any case and bone of contention is between brother of applicant and complainant party. Accordingly, instant Crl. Misc. Application is allowed and impugned order dated 16.02.2018 is set aside. However, official respondents shall provide every protection to the respondent No.3 (complainant).

JUDGE

Ahmad