

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr. Misc. Appln. No.S- 125 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1922/2021
2. For orders on office objection
3. For orders on MA-1923/2021
4. For hearing of main case.

15.03.2021.

Mr. Shareef Bheel, advocate for applicant.

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1. Urgency granted.

2to4. It is the case of the applicant that the proposed accused have committed theft of his gold ornaments and other belonging. By making such allegation he by way of an application u/s 22-A & B Cr.P.C sought for direction against police to record his FIR, it was dismissed by learned Ex-officio Justice of Peace/Additional Sessions Judge-I, Tando Adam by way of his order dated 15.02.2021, which is impugned by the applicant before this Court by way of making instant Criminal Misc. Application u/s 561-A Cr.P.C.

It is contended by learned counsel for the applicant that a cognizable offence was made out therefore, learned Ex-officio Justice of Peace/ Additional Sessions Judge-I, Tando Adam ought not to have dismissed the application of the applicant by way of impugned order, same being illegal is liable to be set-aside after notice.

I have considered the above argument and perused the record.

As per police report, no incident as alleged by the applicant has taken place and applicant in order to satisfy his matrimonial dispute is intending to get the proposed accused involved in false case. By

considering such report of the police learned Ex-officio Justice of Peace/ Additional Sessions Judge-I, Tando Adam has rightly refused to direct the police to record FIR of the applicant by way of impugned order, which is not calling for any interference by this Court by way of instant Criminal Misc. Application, it is dismissed in limini with an advise to applicant to have a recourse u/s 200 Cr.P.C.

JUDGE

Ahmed/Pa