

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr. Misc. Appln. No.S- 17 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For hearing of main case.

18.03.2021.

Mr. Dilbar Khan Laghari, advocate for applicant.
Ms. Safa Hisbani, A.P.G for the State.
Mr. Ashfaque Ali Khaskheli, advocate for private
respondent.

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It is contended by learned counsel for the applicant that on abduction and recovery of his son, therefore, the applicant by making an application u/s 22-A & B Cr.P.C sought for issuance of direction against the police to record his FIR. It was dismissed by learned Ex-officio Justice of Peace/1st Additional Sessions Judge, Hyderabad vide his order dated 05.01.2019, such order being illegal is liable to be set-aside with direction to police to record FIR of the applicant, by way of instant Criminal Misc. Application u/s 561-A Cr.P.C.

2. Learned A.P.G for the State and learned counsel for the private respondents by supporting the impugned order have sought for dismissal of instant Criminal Misc. Application by contending that no incident as alleged by the applicant has taken place and he in order to satisfy his dispute with the private respondents over settlement of Accounts is intending to involve them in a false case.

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

4. The abduction and recovery of the son of the applicant is appearing to be mysterious. Admittedly, the parties are disputed over settlement of Accounts. In these circumstances, Ex-officio Justice of Peace/1st Additional Sessions Judge, Hyderabad was right to have declined to issue direction for recording FIR of the applicant, by way of impugned order; it is not calling for any interference by this Court by way of instant Criminal Misc. Application u/s 561-A Cr.P.C, it is dismissed accordingly.

JUDGE

Ahmed/Pa