

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

CP No.D-2774 of 2011

| Date | Order with signature of Judge(s) |
|------|----------------------------------|
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1. For hearing of CMA No.1243/2011.
2. For hearing of main case.

30.09.2021

Ms. Saima Anjum, advocate holding brief for Ms. Pooja Kalpana, advocate for the petitioners.

Mr. Jawed Hussain, advocate holding brief for Mrs. Masooda Siraj, advocate for the respondent No.2.

Mr. Kafeel Ahmed Abbasi, Deputy Attorney General and Barrister Hussain Bohra, Assistant Attorney General.

This petition is pending since 2011 and interim orders have been operating herein since that time restraining proceedings pursuant to an impugned FIR. The matter has been continuously subject to adjournments thereafter and the interim order has been perpetuated. As a consequence, it is noted that the petitioner's counsel has repeatedly sought adjournments herein as denoted, inter alia, from the orders dated 24.03.2014, 16.05.2014, 19.08.2015, 13.10.2015, 20.09.2017, 17.10.2017, 15.11.2017, 13.12.2017, 09.11.2018, 19.12.2018, 30.01.2019, 22.02.2019, 31.08.2021. The record also demonstrates the petitioner was cautioned to proceed as denoted vide order dated 19.12.2018 and 15.04.2019. Despite orders of caution, on the last date of hearing as well 31.08.2021, today adjournment is sought once again.

Since the matter primarily seeks quashing of an FIR and regulation of custody of accused by this court in exercise of its jurisdiction under Article 199 of the Constitution, it is appropriate to denote that this controversy has already been decided by this court in the judgment dated 03.09.2021, passed in CP No.D-1083 of 2020 (*'Syed Jawad Arsad vs. Federation of Pakistan & Others'*).

In view of the reasoning and rational assigned in the aforementioned judgment applied mutatis mutandis herein, this petition, alongwith pending application(s), is hereby dismissed.

JUDGE

JUDGE