

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

C.P. No.D- 1146 of 2022

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DATE

ORDER WITH SIGNATURE OF JUDGE(S)

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1. For orders on office objection.
2. For hearing of main case.

05.04.2022

Mr. Khadim Hussain Soomro, Advocate for the petitioners.

Mr. Shawak Rathore, D.P.G alongwith Inspector Maqsood Ahmed Channa I/O ATMC and SIP Muhammad Yousif Arain I/o P.S B-Section Shaheed Benazirabad.

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Through instant petition, the petitioners have prayed as under:-

- (A) This Honourable Court may kindly transfer the investigation of crime No.45 of 2022 u/s 9-C CNS at P.S "B" Section Nawabshah, District Shaheed Benazirabad and 50 of 2022 u/s 353, 224, 225, 506/2, 147, 148, 149 r/w 6, 7 ATA 1997 from Shaheed Benazirabad Division to any other Division of Sindh Province and appoint an honest investigation officer to investigate the above crimes and submit the report in concerned courts in accordance with the law.
- (B) That the respondent No.2 to 3 be directed to provide legal protection to the petitioners and their family members against the high handedness of the respondent No.4 to 8.
- (C) That the respondent No.2 to 3 be directed to ensure that no any harassment shall be caused to the petitioners and their other family members.
- (D) That any other relief this honourable Court may deem and fit may kindly be awarded to the petitioner."

Learned D.P.G has very frankly conceded to the transfer of investigation of Crime No.45 of 2022, u/s 9-C CNS Act, 1997, registered at P.S "B" Section Nawabshah, District Shaheed Benazirabad and Crime No.50 of 2022, u/s 353, 224, 225, 506/2, 147, 148, 149 r/w sections 6, 7 of ATA 1997, registered at Police Station A-Section Nawabshah to any other police officer.

In view of the no objection extended by learned D.P.A as well as the circumstances of the case when it is specifically pleaded that there was monetary dispute between one former MPA namely Sardar Sher Muhammad Unar and petitioners and said former MPA was convicted in crime registered

by petitioner against him u/s 489-F PPC and after conviction he managed to implicate the petitioners in narcotic cases; hence to examine further, D.I.G Shaheed Benazirabad shall ensure that investigation of both aforementioned FIRs bearing Crime No.45 of 2022, u/s 9-C CNS Act, 1997, registered at P.S "B" Section Nawabshah, District Shaheed Benazirabad and Crime No.50 of 2022, u/s 353, 224, 225, 506/2, 147, 148, 149 r/w sections 6, 7 of ATA 1997, registered at Police Station A-Section Nawabshah, District Shaheed Benazirabad, is transferred to DSP Siraj Lashari, who shall conduct complete investigation of the said FIRs/Crimes and submit report preferably within a period of three weeks. Meanwhile, proceedings of both abovesaid FIRs are stayed.

The petition stands disposed of in above terms.

JUDGE

JUDGE

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