

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Misc. Appln. No. S – 806 of 2018

DATE

ORDER WITH SIGNATURE OF JUDGE

For hearing of case

1. For orders on office objection at flag 'A'
2. For hearing of main case
(Notice issued)

29.10.2018

Mr. Deedar Ali M. Chohan Advocate for the Applicant
Mr. Abdul Rehman Kolachi, DPG for the State a/w SIP Qurban Ali SHO Police
Station Mehrabpur at present posted at P.S Moro.
>>>>>>...<<<<<<<

Learned counsel for the applicant submits that the applicant first approached the Court of learned 1st Additional Sessions Judge/ Ex-Officio Justice of Peace Khairpur seeking registration of FIR by filing an application under Section 22-A and 22-B Cr.P.C, but the same was declined vide order dated 13.09.2018 with direction to avail alternate remedy by filing direct complaint before the competent Court of law. Having dissatisfied, she has filed instant criminal miscellaneous application. Notices were ordered and in compliance to the notice SHO police station Mehrabpur filed written statement along with criminal record of the applicant and her sons Mazhar Ali Shah, Azhar Ali Shah, Munawar Ali Shah, Anwer Ali Shah and Wajjid Ali Shah who are involved and required in 14 different criminal cases.

I have heard the learned counsel for the applicant as well as learned DPG for the State and have gone through the record. Perusal of the record reflects that the applicant and her sons are involved in criminal cases therefore, in order to develop undue pressure upon the police, she has filed instant miscellaneous application seeking registration of FIR. Learned Ex-Officio Justice of Peace has rightly dismissed her application under Section 22-A & 22-B Cr.P.C with direction to file direct complaint by availing the alternate remedy. In view of the above instant criminal miscellaneous application is dismissed. However, the applicant is at liberty to avail alternate remedy by filing direct complaint, if so advised.

Judge