

**ORDER SHEET**

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Misc. Application No. S – 05 of 2020

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Date	Order with Signature of Hon'ble Judge
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**For non-prosecution**

Office objections not complied with

**17.01.2020**

Mr. Mushtaque Ahmed Shahani Advocate for the Applicant

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Through instant Criminal Miscellaneous Application, the applicant has impugned the order dated 22.08.2019 passed by learned Vth-Additional Sessions Judge / Ex-Officio Justice of Peace Sukkur, whereby his application u/s 22-A6(i) and 22-B Cr.P.C seeking directions against the SHO Police Station Site Area Sukkur for recording his statement in respect of the offence allegedly committed by the proposed accused, has been dismissed.

2. Learned counsel for the applicant contends that the learned Ex-Officio Justice of Peace has not considered the material facts brought before him, but has passed the impugned order, though the proposed accused have committed a cognizable offence, hence they are liable to be booked u/s 154 Cr.P.C and prosecuted in accordance with law. He lastly prayed for setting aside of the impugned order.

3. Mr. Shafi Muhammad Mahar, learned DPG present in Court in connection with other matters waived the notice of instant Criminal Miscellaneous Application and supported the impugned order.

4. I have heard the learned counsel for the parties and perused the material available on record. The perusal of the impugned order reveals that the same is well-reasoned and speaking one. Admittedly there is dispute between the applicant and the proposed accused over the landed property, but the applicant wants to drag the proposed accused in false criminal cases. There is nothing on

record to show that the applicant has approached the competent forum prior to approaching the learned Ex-Officio Justice of Peace for redressal of his grievance. The impugned order is well-reasoned and speaking one, therefore does not call for any interference by this Court. Accordingly, the instant Criminal Miscellaneous Application is dismissed. However, the applicant is at liberty to avail his remedy by way of filing direct complaint of the incident before the competent Court of law, having jurisdiction, if so advised.

Judge

ARBROHI