

**Ordre Sheet**  
**IN THE HIGH COURT OF SINDH,**  
**BENCH AT SUKKUR**

**Cr. Misc. Appln. No. S – 464 of 2021**

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<b>Date</b>	<b>Order with Signature of Hon'ble Judge</b>
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**For hearing of case**

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

**27.09.2021**

Applicant Wazir Kalhor present in person  
Mr. Khalil Ahmed Metlo, DPG for the State  
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Through instant Criminal Miscellaneous Application, the applicant has impugned the order dated 21.06.2021 passed by 2<sup>nd</sup>. learned Additional Sessions Judge / Ex-Officio Justice of Peace, Naushahro Feroze, whereby the application under Section 22-A and 22-B Cr.P.C filed by the applicant was dismissed.

2. The applicant present in person submits that there was dispute between him and the proposed accused over the landed property, hence the proposed accused have committed a cognizable offence, therefore, they are liable to be prosecuted under the law. He lastly submits that the impugned order is liable to be set-aside and such directions may be issued to respondent No.2 / SHO Police Station Muhabat Dero for recording his statement u/s 154 Cr.P.C.

3. Learned DPG for the State supported the impugned order by contending that the impugned order is well reasoned, whereas, the applicant has admitted that there is dispute over the landed property, hence in such circumstances the version of the applicant cannot be true.

4. I have heard the applicant in person as well as the private respondents 3 and 4 and learned DPG appearing for the State and perused the record. The

learned Ex-Officio Justice of Peace in order to ascertain the facts asserted in the memo of Criminal Miscellaneous Application, called the report from the DSP (Complaint Cell) Naushahro Feroze, which reveals that there existed a criminal dispute between the parties and such cases are pending trial against the present applicant, whereas, the applicant in order to save himself from legal consequences thereof has filed the instant application seeking registration of FIR by concocting a false and fabricated story. In that situation, the learned Ex-Officio Justice of Peace while passing the impugned order dated 21.06.2021 has not committed any illegality or irregularity, accordingly, the same is maintained. Resultantly, the instant Criminal Miscellaneous Application is dismissed. However, the applicant is at liberty to avail his remedy by filing a direct complaint of the incident before the competent Court of law, if so advised.

Judge

ARBROHI