

**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD**

**C.P. No. S- 772 of 2021**

Shahzad Ali Kazak ----- Petitioner

VERSUS

Province of Sindh  
& others ----- Respondents

**Date of hearing: 22.08.2022**

**Date of decision: 22.08.2022**

Mr. Ahmed Nawaz Chang, Advocate for Petitioner  
Mr. Allah Bachayo Soomro, Addl.A.G.

**ORDER**

**ADNAN-UL-KARIM MEMON, J.-** Through instant petition, the petitioner has prayed as under:-

- a. Direct the respondents No. 1 to 4 to appoint an honest and impartial police officer not below the rank of Superintendent of Police to initiate inquiry in respect of false implication of the petitioner party in false criminal cases and if FIRs registered against the petitioner party are found false, such report be submitted in the concerned courts as well as before this Honourable Court.
- b. Direct the respondents No. 5 to 14 not to cause any kind of harassment, threat, or humiliation to the petitioner party by themselves or through their subordinates, servants, henchman, etc. in any manner whatsoever.
- c. Direct the respondents No. 1 to 5 to provide protection in accordance with law to the petitioner and his relatives and ensure the security of the life and property of the petitioner party.

2. Mr. Ahmed Nawaz Chang learned counsel for the petitioner has submitted that the petitioner and his brothers are agriculturists and posses pieces of land in Deh 37-Jamrao district Sanghar and also doing business of sale and purchase of motorcycles; that respondent No.14 being influential person compelled them to sale their land which they refused, hence on his instigation his henchman in collusion with police officials implicated the petitioner and his brothers in FIR No. 58 of 2021 under Section 381-A

PPC registered at police station Tando Adam wherein the challan has been submitted; that similar FIR bearing Crime No. 26 of 2021 under the same sections was also registered at police station Sinjhoru wherein they were acquitted; that on 15.8.2021 the petitioner and his brothers Shahroze and Shahreyar went to Sunday Bazar of motorcycles where respondents 10 to 13 took them along with two motorcycles and cash of Rs. 70,000/- without any FIR; therefore, the brother of petitioner filed Cr. Misc. Application under Section 491 Cr.P.C. for conducting raid at police station and recovery of their brothers. On the said application learned Civil Judge & Judicial Magistrate-II conducted raid which failed as their custody was shifted to some other place and thereafter on the instigation of respondent No.14 the custody of petitioner was shifted to other places and at different cities, several FIRs under Section 9(c) Control of Narcotic Substance Act, 1997, were registered in which the petitioner is facing trial; that the official respondents at the behest of respondent No.14 are compelling the petitioner's party to sale the land to respondent No.14 otherwise they will be implicated in further cases; therefore, he has filed the instant petition with the above prayer.

3. Primarily, the dispute has been alleged between private parties concerning certain allegations about breach of legal or moral duties; and in this background, it has been alleged that the private party at fault is harassing the petitioner with the help of police officials and instead of taking action against the wrongdoers, the police is supporting them and lodged false cases against the petitioner.

4. Petitioner also alleging harassment against the police officials. At this stage, learned AAG has submitted that the police shall ensure that no harassment is caused to the petitioner, learned counsel is satisfied with the statement of learned AAG and seeks disposal of the instant petition in terms thereof.

5. In view of the above and by consent this petition is disposed of with the understanding that police officials shall be neutral if there arises any dispute between the private parties and shall act under the law.

**JUDGE**

Karar\_hussain/PS\*