

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
CrI. Misc. Application No.S-776 of 2023
(Jehanzeb Siyal Vs. The State & others)

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|-----------------|-------------------------------|
| DATE OF HEARING | ORDER WITH SIGNATURE OF JUDGE |
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Hearing of case (Priority)

1. For Orders on office objection.
2. For orders on CMA No. 6482/2023 (Ex./A)
3. For hearing of main case.
4. For hearing of CMA No. 6483/2023 (S/A)

22-11-2023.

Mr. Kashif Hussain Shaikh, Advocate for the applicant
Mr. Zulfiqar Ali Panhwar, Advocate for the private respondent
Syed Sardar Ali Shah, Additional Prosecutor General for the State
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IRSHAD ALI SHAH, J.-. The applicant by way of instant CrI. Misc. Application u/s 561-A Cr.P.C has impugned order dated 20-10-2023 passed by learned Ist Additional Sessions Judge/Ex-Officio Justice of Peace, Naushahro Feroze, whereby he besides transferring the investigation of the case has directed the police to insert certain penal sections in FIR so lodged by the private respondent. There is dispute between the applicant and the private respondent over the custody of the case. It is the prerogative of the police to investigate the case independently; such right cannot be taken away or interfered with by the Courts frequently. Consequently, the impugned order being illegal is set-aside.

The instant CrI. Misc. Application is disposed of accordingly together with listed applications.

Judge