

ORDER SHEET
 IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
 Crl. Misc. Application No.S-211 of 2023
 (Ghulam Abbas Jatoi Vs. SHO The State & others)

1. For Orders on office objection.
2. For Orders on MA No. 1942/2023(Ex.A).
3. For hearing of main case.

01-11-2023.

Mr. Hafeez Bandhani, advocate for the applicant.

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1. Over ruled.
2. Granted subject to all just legal exceptions.
3. The applicant by maintaining an allegation that Mukhtiarkar (Revenue) Taluka Sukkur has prepared a fake report with regard to the property of absconding accused, which was to be attached; sought for his prosecution by filing such application, which was dismissed by learned Civil Judge & Judicial Magistrate IIIrd Sukkur vide order dated 02-02-2023, which was impugned by the applicant by preferring the Revision Application, it too was dismissed by learned Additional Sessions Judge IVth, Sukkur vide order dated 28-02-2023, which is impugned by the applicant before this Court by preferring the instant Crl. Misc. Application u/s 561-A Cr.P.C.

It is contended by learned counsel for the applicant that the Mukhtiarkar (Revenue) Taluka Sukkur by preparing the fake report has committed a cognizable offence; therefore he is liable to be prosecuted and learned Courts below by dismissing the application of the applicant have committed wrong, which is liable to be made right by this Court.

Heard arguments and perused the record.

The report furnished by Mukhtiarkar (Revenue) Taluka Sukkur was rectified by himself at latter stage. By such action, he corrected his own mistake, which apparently was human. Perhaps, in these circumstances, learned Courts below have refused to take action against him on application of the applicant. No illegality is evident which may justify this Court to make interference with the impugned order by way of instant Crl. Misc. Application, it is dismissed in limine.

JUDGE

Nasim/P.A.