

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**CrI. Misc. Application No.S-745 of 2023**  
*(Riaz Hussain Vs. The State & others)*

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For Orders on office objection.
2. For hearing of CMA No. 6190/2023.
3. For hearing of main case.

**23-11-2023.**

Applicant Riaz Hussain in person.

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1. Over ruled.
2. Granted.
3. The applicant by way of instant CrI. Misc. Application has impugned order dated 09-10-2023 passed by learned Additional Sessions Judge/Ex-Officio Justice of Peace, Gambat, whereby his application u/s 22 A/B Cr.P.C for issuance of direction to police to record his FIR, was dismissed. As per the proposed accused, who are officials of the irrigation department, the applicant has encroached upon the property owned by the irrigation department; such claim is refuted by the applicant with an assertion that it is owned by him. Be that as it may, the civil litigation between the applicant and the irrigation department is going on. The involvement of the proposed accused in a criminal case in the circumstances prima-facie suggests malafide. Even otherwise, no illegality is noticed in the impugned order, which justify this Court to make interference with the same by way of instant CrI. Misc. Application, it is dismissed in limine.

**Judge**

Nasim/P.A

