

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Crl. Misc. Application No.S- 712 of 2023

(Ghulam Rasool & others Vs. The State & others)

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

- 1. For orders on office objection at flag ‘A’
- 2. For hearing of main case
- 3. For hearing of MA No.6005/2023 (S/ A)

01.12.2023.

Mr. Achar Khan Gabol, Advocate for the applicants.
Mr. Bashir Ahmed Shar, Advocate for the private respondent
Mr. Imran Mobeen Khan, Assistant P.G for the State.

IRSHAD ALI SHAH, J;- The applicants by making the instant Crl. Misc. Application u/s 561-A, CrPC have impugned order dated 04.10.2023 passed by learned Additional Sessions Judge/Ex-Officio Justice of Peace, Mirwah whereby he on application u/s 22-A/B, CrPC has directed the police to record the statement of the private respondent for purpose of FIR.

2. It is contended by learned counsel for the applicants that no incident as alleged by the private respondent has taken place and he is intending to involve the applicants in a false case as they may not discharge their lawful duty against him being police officials. By contending so, he sought for setting aside of impugned order, which is opposed by learned Assistant PG for the State and learned counsel for the private respondent by supporting the impugned order.

3. Heard arguments and perused the record.

4. The impugned order does not contain the arguments in detail which were advanced by learned counsel for the parties; it carries no discussion with regard to the reports furnished by the police officials; indeed it appears to be non-speaking order. Consequently, it is set-aside with direction to learned Ex-Officio Justice of Peace to pass the same afresh after providing chance of hearing to all the concerned.

5. The instant Crl. Misc. Application is disposed of accordingly together with listed application.

Judge