

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**Crl. Misc. Application No.S-783 of 2023**  
*(Attaullah Jiskani Vs. The State & others)*

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
-----------------	-------------------------------

1. For Orders on office objections.
2. For Orders on CMA No. 6608/2023 (Ex./A)
3. For hearing of main case.

**07-12-2023.**

Mr. Ali Akbar Shar, advocate for the applicant.

\*\*\*\*\*

1. Over ruled.
2. Deferred.
3. The applicant by way of instant Crl. Misc. Application has impugned order dated 28-09-2023 passed by learned Ist Civil Judge & Judicial Magistrate Mirwah whereby he on recommendation of the police has disposed of the subject FIR under "C" class.

It is contended by the learned counsel for the applicant that it was a false FIR; therefore learned trial Magistrate ought to have disposed of the same under "B" class. By contending so, he sought for modification of impugned order to that extent.

Heard arguments and perused the record.

The opinion formed by the applicant is irrelevant. Apparently on the basis of honest investigation, the subject FIR was recommended by the police to be cancelled under "C" class and it has rightly been cancelled by learned trial Magistrate by way of impugned order, which is not calling any interference by this Court by way of instant Crl. Misc. Application, it is dismissed in limine.

**Judge**

Nasim/P.A

