

THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Misc. Application No. S- 571 of 2023

Date of hearing	Order With Signature Of Judge.
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1. For orders on office objections.
2. For regular hearing.

Mr. Shoukat Ali Makwal, Advocate along with applicant.
Mr. Shafi Muhammad Mahar, Deputy P.G for the State a/w Hasnain Waris,
ASP, Gambat.
Proposed accused No.1 Muhammad Rafique is present in person.

Date of Hearing & Order: **18-12-2023**

ORDER

MUHAMMAD IQBAL KALHORO J.,- This application has been filed by applicant against impugned order dated 08.07.2023, whereby her application for registering a case against proposed accused / police officials has been dismissed.

2. Learned counsel for applicant has submitted that a son and husband of applicant, who were taken away by Rafique Ahmed, SHO, P.S, Tando Masti Khan on 05.06.2023, were released by him on 18.06.2023 after receiving Bhatta of Rs.1,40,000/- on 06.06.2023, Rs. 60,000/- on 06.06.2023 and Rs. 200,000/- on 05.06.2023 sent to him through relevant banks. He has placed such receipts on record. The said SHO/proposed accused No.1 has submitted a certificate of UBL bank that this account and the amount of Rs.1,40,000/- received therein do not belong to him, but to some Rafique Ahmed Phulpoto with whom he has got no connection. It is further submitted that against son of applicant, namely, Ghulam Mustafa Shaikh, at least six criminal cases for committing fraud to different people have been registered in the past. As far as his illegal confinement is concerned, the said SHO submits that CDR shows that he was present at Karachi on the relevant date.

3. Meanwhile, in this matter, ASP, Gambat was appointed to enquire into issue. He is present and has submitted a report that he issued notices to applicant but she failed to appear before him. I have seen the impugned order which contains cogent reasons. Even otherwise, the applicant has

failed to show transaction of any money done in favour of proposed accused No.1. On the contrary, he has tried to mislead the Court by filing certain receipts showing deposit of money in the name of one Rafique Ahmed who he has claimed to be the same SHO but the bank certificate shows that it is not the same SHO whom the money was sent to allegedly by him. No case for indulgence is made out in the circumstances. Accordingly, this Crl. Misc. Application is **dismissed**.

JUDGE

Ahmad