

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Crl. Misc. Application No. 392 of 2024  
(*Muhammad Babar Khan v. SSP District South and others*)

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DATE ORDER WITH SIGNATURE OF JUDGE(s)  
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1. For orders on MA No.5057/2024
  2. For orders on MA No.5058/2024
  3. For hearing of main case
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**07.05.2024**

Mr. Muhammad Zakria, advocate for the applicant  
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1. Urgency granted.
2. Deferred.
3. It is alleged by the applicant that the proposed accused took away his two chequebooks and a pistol; the pistol he returned while the chequebooks he refused to return and now is threatening him of dire consequences. Based on such allegations, he by making an application u/s 22-A/B Cr.PC sought direction against the police to record his FIR; it was dismissed learned XIth-Additional Sessions Judge/ Ex-officio Justice of Peace Karachi East vide order dated 11.03.2024 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 a cognizable offence has taken place, therefore, learned Ex-Officio Justice of Peace ought not to have dismissed the application of the applicant by way of impugned order; the same being illegal is to be set aside by this Court.

Heard arguments and perused the record.

If for the sake of arguments, it is believed that the incident as alleged by the applicant has taken place and for that his FIR is not being recorded by the police, then he has an alternate remedy to exhaust under Section 200 Cr. PC; such remedy if exhausted besides being alternate would be adequate in the circumstances of the case. No illegality even otherwise is noticed in the impugned order which may justify this Court to interfere with the same by way of the instant Crl. Misc. Application; it is dismissed in *limine*.

**J U D G E**

Nadir\*