

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Misc. Appl. No.977 of 2023
(Waleed Mughal v. SSP Complaint Cell and others)

Date	Order with signature of Judge
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1. For orders on MA No.5998/24
2. For hearing of main case

20.05.2024

Applicant in person

Mr. Liaquat Ali Khan, advocate for the private respondent No.3

Mr. Zahoor Shah, Additional Prosecutor General for the State

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1. Urgency granted.
2. The applicant by way of the instant Criminal Misc. Application has impugned the order dated 05.10.2023 passed by the learned Vth Additional Sessions Judge/Ex-Officio Justice of Peace whereby he has declined to direct SHO PS Rizvia Karachi to record the statement of the applicant for the FIR.

It is contended by the applicant that the private respondent is running an NGO; misappropriating the donations and has maltreated him when asked for support, therefore, the learned Ex-Officio Justice of Peace ought not to have dismissed his application by way of the impugned order; the same being illegal is to be examined by this Court.

Learned Addl. PG for the State and learned counsel for the private respondent by supporting the impugned order has sought dismissal of the instant Crl. Misc. Application which as per them is motivated with bad intention.

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 statement for FIR is not being recorded by the SHO PS Rizvia Colony Karachi then he has an alternate remedy to exhaust by filing a complaint of the alleged incident in terms of Section 200 Cr.PC before the Court having jurisdiction; such remedy if exhausted by him besides being alternate would be adequate in the circumstance of the case. No illegality even otherwise is noticed in the impugned order which may justify this Court to interfere with the same.

Consequent to the above discussion, the instant Crl. Misc. Application is dismissed accordingly.

J U D G E

Nadir*