

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

Constitution Petition No. D- 2736 of 2022

Present:-

MR. JUSTICE ZAFAR AHMED RAJPUT

MR. JUSTICE AMJAD ALI BOHIO

Petitioner. : Muhammad Saleh, through
Mr. Muhammad Sachal R. Awan, Advocate.

Respondents No.6 to 8. : Rajab Ali & others, through
Barrister Taha Rehman Jatoi, Advocate.

Respondent/State. : Through Mr. Nazar Muhammad Memon,
Addl. Prosecutor General, Sindh along with
Inspector Ashfaque Ahmed PS Tando Ghulam
Muhammad.

Date of hearing. : 10.09.2024

Date of decision. : 10.09.2024

ORDER

ZAFAR AHMED RAJPUT, J: - Through instant petition, the petitioner seeks declaration that Recommendation of Board constituted vide office order dated 06.06.2022 by the Deputy Inspector General of Police, Hyderabad / respondent No.2 to examine the case / F.I.R bearing No.70 of 2022 u/s 324, 382, 511, 100, 34 PPC of PS Tando Muhammad Khan, is not in accordance with law and favored to real culprits who tried to shift the guilt to deceased.

2. It reflects from the perusal of the Recommendation of the Board (annexure "A" page 15 of the memo of petition) that the Board had detailed deliberations on the case and various aspects of the case were discussed, and having detailed deliberation, the Board recommended that there is no need for change of investigation of the said case.

3. It is a matter of record that the accused persons in aforementioned F.I.R. have already been acquitted of the charge vide judgment dated 02.02.2023 passed in Sessions Case No.220 of 2022 and, to the best of knowledge of the learned Addl. Prosecutor General, no Cr. Acquittal Appeal has been preferred against said judgment. Hence, after concluding of the trial in aforementioned F.I.R., there appears no cogent ground to issue directions for the re-investigation of the same crime. The petition is therefore, being devoid of any merit is *dismissed*, accordingly.

JUDGE

JUDGE

Hafiz Fahad