

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Crl. Misc. Application No.S-913 of 2023
(Abdul Sattar Vs. the State & others)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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- 1. For hearing of main case.
- 2. For hearing of MA No. 7579/2023 (Stay)

23-02-2023.

Mr. Ali Murad Malano, advocate for the applicant.
Mr. Noor Hassan Malik, advocate for the private respondent.
Syed Sardar Ali Shah Rizvi, Additional Prosecutor General.

The applicant by way of the instant Crl. Misc. Application have impugned order dated 09-12-2023 passed by learned IInd Additional Sessions Judge/Ex-Officio Justice of Peace, Ghotki, whereby he has directed the police to record the statement of the private respondent at per his verbatim for purpose of FIR with regard to the abduction of his brother Dilawar.

It is contended by learned counsel for the applicant that the private respondent is intending to involve the applicant and others in a false case only to satisfy his dispute with them over property, who once was also recovered by the police and such aspect of the case has been lost sight of by learned Ex-Officio Justice of Peace, while passing the impugned order, therefore it is liable to be set aside.

- 3. Learned APG for the State and learned counsel for the private respondent by supporting the impugned order have sought for dismissal of the instant Crl. Misc. Application by contending that the

abductee after its recovery has again been abducted by the applicant and others only to pressurize them to withdraw from civil dispute.

4. Heard arguments and perused the record.

5. The allegation against the applicant and others leveled by the private respondent is that they have abducted a boy; such allegation being serious in nature could not lost sight of only for the reason that there is dispute between the parties over the property. Apparently no illegality is committed by learned Ex-Officio Justice of Peace by direction the police to record statement of the private respondent for purpose of FIR by way of impugned order, which may justify this Court to interfere with the same.

In view of above, the instant Crl. Misc. Application is dismissed.

J U D G E

Nasim/P.A