

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Crl. Misc. Application No.S-54 of 2024
(Sajjad Ali Pirzado others Vs. The State & others)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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- 1. For Orders on office objection.
- 2. For Orders on MA No. 571/2024 (Ex./ A)
- 3. For hearing of main case.

27-02-2024.

Mr. J.K Jarwar, advocate for the applicant.

- 1. Over ruled.
- 2. Granted subject to all just legal exceptions.
- 3. The applicant by way of listed application u/s 561-A Cr.P.C has impugned an order dated 04-01-2024 passed by learned IInd Judicial Magistrate Kandiaro whereby he has accepted the summary for disposal of FIR Crime No. 69/2023 u/s 452, 337A(i), 506/2, 147, 148, 149 PPC of PS Mohbat Dero under “C” Class.

It is contended by learned counsel for the applicant that there was counter version of the incident; therefore, learned trial Magistrate ought not to have disposed of subject FIR under “C” class by way of impugned order, such order being illegal is to be examined by this Court.

Heard arguments and perused the record.

The subject FIR has been disposed of by the police on the basis of exhaustive investigation. If the applicant is having a feeling that his FIR has been disposed of under “C” class by learned Magistrate on recommendation of the police, without lawful justification, then he has an alternate and adequate remedy to exhaust under section 200 Cr.P.C. No illegality even otherwise is noticed in impugned order, which may justify this Court to interfere with the same by way of listed application u/s 561-A Cr.P.C, it is dismissed in limine.

JUDGE

Nasim/P.A

