

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**Crl. Misc. Application No.S-750 of 2023**  
*(Hadi Bux Maitlo Vs. The State & others)*

<b>DATE OF HEARING</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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For hearing of main case.

**08-03-2024.**  
Applicant Hadi Bux in person.  
Mr. Athar Hussain Abro, advocate for respondent No.8.  
Mr. Shafi Muhammad Mahar, Deputy Prosecutor General.  
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The applicant by making allegation of snatching of his licensed weapon and causing damage to his hut by making an application under section 22 A/B Cr.P.C sought for direction against the police to record his statement for the purpose of FIR for the said incident against the proposed accused, it was dismissed by learned IIIrd Additional Sessions Judge/Ex-Officio Justice of Peace, Khairpur vide order dated 02-10-2023, which is impugned by him before this Court by way of instant Crl. Misc. Application u/s 561-A Cr.P.C.

It is contended by the applicant that the cognizable offence has taken place; therefore, learned Ex-Officio Justice of Peace ought not to have dismissed his application. By contending so, he sought for setting aside the impugned order with direction to police to record his statement for purpose of FIR.

Learned DPG for the State and learned counsel for respondent No.8 by supporting the impugned order have sought for dismissal of instant Crl. Misc. Application by contending that the applicant is in habit to make applications against innocent person off and on to grab money from them.

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 u/s 200 Cr.P.C, such remedy if is 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; consequently, instant Crl. Misc. Application is dismissed.

**JUDGE**