

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Constitution Petition No. D-892 of 2023
(Syed Murad Ali Shah Vs. The State and others)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For Orders on office objection.
2. For Orders on CMA No. 3779/2023 (Stay)
3. For hearing of main case.

21-03-2024.

Mr. Muhammad Ali Napar, advocate for the petitioner.
Mr. Noor Muhammad Memon advocate for respondent No.4.
Mr. Zulfiquar Ali Jatoi, Additional P.G for the State.

1. Over ruled.

2&3. The petitioner by way of instant petition has sought for *quashment* of FIR No. 81/2023, u/s 489-F PPC of PS Gambat for the reason that he has already been acquitted for the said offence by learned IIIrd Judicial Magistrate/(MTMC), Sukkur vide judgment dated 25-09-2023. As per comments filed by SHO PS Gambat, the interim report in subject FIR has been submitted before the Magistrate having jurisdiction. After submission of the report though interim in nature, the *quashment* of FIR could hardly be ordered. If the petitioner is having a feeling that he is being tried twice for the same incident, then he may put up his defence by joining the investigation of the case necessary for submitting final report or trial, as the case may be, if so is advised to him.

Instant petition is disposed of accordingly together with listed application.

Judge

Judge