

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT
HYDERABAD

Criminal Miscellaneous Application No.S-32 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
	<ol style="list-style-type: none">1. For orders on office objections.2. For hearing of main case.3. For hearing of M.A. No.339/2025.
<u>23.01.2025</u>	

Mr. Allah Bux Shar, Advocate for applicant.
Ms. Rameshan Oad, Assistant Prosecutor General, Sindh along-with SIP Karim Bakhsh Lakho PS Kazi Ahmed.

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Through this Criminal Miscellaneous Application, the applicant has impugned the order dated 13.01.2025 wherein learned Additional Sessions Judge-II/Ex-Officio Justice of Peace, Shaheed Benazirabad directed the concerned SHO to register the FIR against the proposed accused / applicant. Being aggrieved, the learned counsel for the applicant filed instant miscellaneous application.

Per learned counsel due to family matter issue the complainant / respondent No.3 has filed application under section 22-A 6 (i) Cr.P.C otherwise applicant / proposed accused is innocent having no concerned with the alleged offence. He further submits that conditional order has been passed by learned Ex-Officio Justice of Peace directed that once final medico-legal certificate furnished by respondent No.3 / applicant his statement be recorded if the same constitutes a cognizable offence. He lastly prayed for setting aside the impugned order by allowing instant application.

Mr. Pervaiz Tariq Tagar, Advocate files Vakalatnama on behalf of respondent No.3 / applicant taken on record and states that accused has cheated the public at large on the pretext that firstly *Rishta* of women is provided for contracting marriage and thereafter they used to file application for illegal detention on the premises that either to return a girl or to provide them money, therefore, he prays for maintaining the impugned order by dismissing instant application.

Learned APG also supported the impugned order.

I have heard the learned counsel for respective parties and perused the record.

From perusal of record it reflects that respondent No.3 / complainant Waheed Ali Magsi appeared before the learned Ex-Officio Justice of Peace Shaheed Benazirabad and prayed for FIR on the ground that proposed accused cheated him thereby dishonestly inducing to deliver Rs.300,000/- on the pretext of giving the proposed accused No.2's sister in a marriage. Learned counsel for respondent No.3 / complainant also pointed out that proposed accused have looted public at large and so many people have been cheated, once they are providing a woman to the person for marriage, thereafter they file application

for illegal detention, as such, a cognizable offence has been committed. No illegality or irregularity has been pointed in the impugned order by learned counsel for applicant which is well reasoned and same is maintained. Consequently, instant application is dismissed.

JUDGE

*Muhammad Danish**