

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Cr. Misc. Appln. No. S – 603 of 2024

Date of hearing	Order with signature of Judge
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Fresh case

1. For orders on MA No.5097/2024 (U/A)
2. For orders on MA No.5098/2024 (Ex.A)
3. For hearing of main case
4. For orders on MA No.5099/2024 (S/A)

16.10.2024

Mr. Muhammad Qayyum Arain, Advocate along with Applicant
>>>>>..<<<<<

1. Urgency is granted.
 2. Exemption is granted subject to all just legal exception.
- 3&4. It is contended by learned counsel for the applicant that no offence of cognizable in nature was committed by the applicant; however, with false facts the private respondent is going to lodge a FIR. Per learned counsel the impugned order was passed by violating the law and is liable to be set aside.

Heard learned counsel and perused the impugned order, which reflects that the Ex-Officio Justice of Peace in para-4 has observed as under;-

"Accordingly after above discussion, SHO PS Mithiani, District Naushahro Feroze is directed to record the statement of applicant u/s 154 CrPC and lodge the FIR, if from the statement of complainant cognizable case is made out and in case the statement appears non-cognizable offence, he shall submit report to the relevant Magistrate as provided by Section 155 CrPC. It is further directed that no arrest shall be made unless some substance is available against the accused persons, and if the investigation concluded against the complainant the proceedings under Section 182 or 211 PPC appropriately be initiated against the complainant".

After going through para-4 as referred above, no illegality or infirmity is found in the impugned order. Resultantly, the instant Criminal Miscellaneous Application along with listed application is dismissed in *limine*.

Judge