

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

Cr. Misc. Appln No.439 of 2020

Date: Order with signature(s) of the Judge(s)

Priority Cases.

1. For Orders on Office Objection at 'A'
2. For Hearing of Main Case.
3. For Hearing of MA No.10747/2020.

03rd May, 2021.

Mr. Fayyaz Aslam Dar advocate for the applicant.
Mr. Saifullah Sachwani advocate for respondent No.1.
Syed Aamir Ali advocate for respondent No.4.
Ms. Rubina Qadir, DPG.

Perusal of impugned order reflects that after taking cognizance, trial court dismissed application under Section 265-K Cr.PC on this view that court is not competent to re-call its own order since parameter to taking cognizance and to exercise jurisdiction under Section 265-K Cr.PC are entirely different; at the time of cognizance proposed accused was not heard. Precisely trial court has failed to consider the plea of respective parties. According, impugned order is set-aside; accordingly trial court shall decide the same after hearing both parties within a period of one month.

Instant Cr. Misc. Application is disposed of in above term.

JUDGE

M.Zeeshan