IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA
Crl. Misc. Appln. No.S- 218 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE

For Katcha Peshi.

28.4.2014

Mr. Khalid Iqbal Memon, advocate for applicant.
Mr. Imtiaz Ali Jalbani, APG.
Mr. Habibullah G. Ghouri, advocate for proposed accused.

Through instant Criminal Misc. Application, applicant seeks directions for registration of F.I.R against the proposed accused as SHO concerned refused to register F.I.R. Thereafter, he approached to learned 3rd Additional Sessions Judge/ Ex. Officio Justice of Peace, Larkana for seeking directions through Crl. Misc. Application No.477/2013. Request was declined by order dated 10.9.2013 thereafter applicant has approached to this Court.

Learned counsel for the applicant contended that this is the case of counter version. One Hubdar, the relative of the applicant, had sustained 4/5 firearm injuries in the incident and police referred injured Hubdar to the hospital for his examination, treatment and certificate, in spite of that, SHO has refused to register the F.I.R. It is argued that police has registered the case of opponents of the applicant vide crime No.65/2013 under Section 302, 324, PPC at Police Station Badeh on 21.7.2013.

Mr. Imtiaz Ali Jalbani, appeared on behalf of the State recorded no objection if directions are issued to the SHO for registration of FIR if cognizable offence is made out from the statement.

Mr. Habibullah G. Ghouri, appeared on behalf of the proposed accused and argued that injured Hubdar had received injuries at the instance of his companions. He has opposed the application.

After hearing learned counsel for the parties while relying upon the case of Muhammad Bashir v. Station House Officer, PLD 2007 SC 539, and looking to circumstances SHO PS Badeh is directed to record statement of the complainant, if from

he statement a cognizable offence is made out, then he would conduct himself strictly in

ccordance with law.

Criminal Misc. application stands disposed of accordingly.

28.4.2014

Judge