

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

Constt. Petition No. D- 479 of 2017.

Date of hearing	Order with signature of Judge
10.01.2018.	

1. For orders on M.A. No. 05/2018.
2. For orders on maintainability.

Mr. Ali Nawaz Ghanghro, Advocate for petitioner.
Mr. Shafi Muhammad Chandio, Addl. A.G.

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The case of the petitioner is that, on 06.5.2017 a "fasila" between petitioner with one Darogo son of Nodo Khan was fixed and for the same purpose he sent his son Balach, his brohter Muhammad Nawaz and relative Karimdino to bring some documents from their home; while they were returning the Incharge CIA Centre Jacobabad intercepted and took some amount from them and released Muhammad Nawaz on the next day for arranging Rs.200,000/- for release of Balach and Karimdino. According to the petitioner, he paid Rs.50,000/-, even then the Incharge CIA Center/ respondent No.5 lodged false F.I.Rs bearing No.21 and 22 of 2017 at P.S Dodapur under Section 5 of the Explosive Act and 6/7 of Anti-Terrorism Act, 1997 against Balach and Karimdino, respectively.

Through the instant petition, the petitioner seeks directions of this Court for conducting spot enquiry by respondents No.2 and 3 regarding the incident as alleged by the petitioner and to provide appropriate relief in the light of report, so received.

Pursuant to notice, the respondents No.2 to 5 have filed their statements/ comments denying the contents of the petition. The respondents No.3 and 4 have further mentioned that two criminal cases have been registered against son and relative of petitioner named-above and challan has already been filed concerned Court of law.

Apparently, the intention of the instant petition is to save the skin of son and relative of the petitioner, who have already been booked in criminal cases. Moreover, the contents of the petition have been denied and disputed by the respondents; we are of the view that the disputed question of facts cannot be resolved under constitutional jurisdiction. Besides, alternate remedy is available to the petitioner. So for the aforesaid criminal cases are concerned, the petitioner may approach the trial Court for redressal of grievance, if any.

The petition stands dismissed accordingly.

Ansari/\*