

*ORDER SHEET*  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA**  
C.P.No.S-30 of 2025  
(*Khudadad v. SHO, PS Nau Goth & others*)

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

**27.02.2025**

None present for the petitioner.  
Mr. Aftab Ahmed Bhutto, Assistant Advocate General, Sindh  
a/w SIP Abdul Majeed and SIP Muhammad Uris Narejo

**ORDER**

**Adnan-ul-Karim Memon-J:** The petitioner, a farmer, is seeking court protection from harassment and illegal actions by a powerful local politician (Respondent 5) and complicit officials (Respondents 1-3). He states that Respondent 5 has illegally seized government land, contaminated the petitioner's irrigation water, and used his influence to have the petitioner's family illegally arrested and harassed. This victimization is politically motivated, stemming from the petitioner's opposition to Respondent 5 and a prior pending constitutional petition (417/2022) filed against him. The petitioner's family members were unlawfully detained and released only after a bribe was paid. Attempts to seek assistance from authorities (Respondents 4, 6, and 7) have been unsuccessful. The petitioner requests this court to order Respondents 1-3 to cease all harassment of the petitioner and his family. He also seeks direction to Respondents 4, 6-8 to provide legal protection to the petitioner and his family.

2. The police official present in court submits that no raid or harassment occurred at the petitioner's house. This is a private land dispute, not a police matter. The petitioner's fears are baseless, as all actions are lawful. The police are committed to protecting all innocent citizens. The private respondent, though served, is not in attendance to submit his point of view.

3. The grievance of the petitioner is that official respondents in connivance with the private respondent is harassing and interfering in his daily life pursuits, without lawful justification.

4. Admittedly, this is the case of harassment at the hands of police in connivance with private respondents. The meaning of the word "harass" has been explained as "Injure and injury"; these words have numerous and comprehensive popular meanings, as well as having a legal import. A line may be drawn between these words and the word "harass" excluding the latter from being comprehended within the word "injure" or "injury". The synonyms of "harass" are: To weary, tire, perplex, distress, tease, vex,

molest, trouble, and disturb. They all have relation to mental annoyance." In the Oxford Dictionary of New Words, the meaning of the word "harassment" has been explained, which reads as "The subjection of a person to aggressive pressure or intimidation. "Harassment" should be interpreted as potentially producing some unreasonably adverse impact on the victim. The conduct should produce more than "worry", "trouble", "discomfort" or "unease" unless perhaps these are experienced to an extreme degree.

5. The main objectives of the police is to apprehend offenders, investigate crimes, and prosecute them before the courts, also to prevent the commission of crime, and above all ensure law and order to protect citizens' lives and property.

6. The law enjoins the police to be scrupulously fair to the offender and the Magistracy is to ensure a fair investigation and fair trial for an offender. Unfortunately, these objectives have remained unfulfilled. Aberrations of police officers and police excesses in dealing with the law and order situation have been the subject of adverse comments from this Court as well as from other courts but they have failed to have any corrective effect on it. The police has the power to arrest a person even without obtaining a warrant of arrest from a court. The plenty of this power casts an obligation on the police and it must bear in mind, as held by this Court, that if a person is arrested for a crime, his constitutional and fundamental rights must not be violated.

7. Learned A.A.G. submits that no harassment shall be caused to the petitioner. His statement is tenable and this petition is liable to be disposed of in terms of the statement of learned AAG; however, it is made clear that if there is any private dispute between the parties, the same shall be dealt with by the competent court of law/forum and this Court will not travel into that dispute and leave it for the competent forum to redress the same, if approached by the aggrieved party under the law within a reasonable time. As far as police harassment issues are concerned, the SSP concerned has to see the matter and take prompt action under the law, if the petitioner approaches them against the excess of police officials. The Police Officers are required to protect and not abduct.

8. In view of the above, this petition is disposed of with the direction to the police to act under the law and no harassment shall be caused to the petitioner. However, if the petitioner or his family is indulged in cognizable offenses, the police shall act under the law. The police shall ensure that no harassment is caused to the petitioner by the private respondent, in any manner of whatsoever nature.