

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT**  
**HYDERABAD**

Criminal Miscellaneous Application No.S-426 of 2024

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE(S)</b>
	1. For hearing of main case.
	2. For orders on M.A. No.8038/2024.
	3. For hearing of main case.

**12.02.2025**

Ms. Safa Hisbani, Assistant Prosecutor General, Sindh.

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1. None present for the applicant since morning. Even in the second round, no one is present. The learned APG raises objection to the instant application on multiple grounds. Perusal of record reveals that there is relationship between the parties and a civil dispute with regards to purchase of property.

2. In the case of Munawar Alam Khan [2024 SCMR 985], it has been held that in order to discourage frivolous and vexatious complaints, the orders under section 22-A & B Cr.P.C may not be passed in a mechanical manner and all surrounding circumstances, including the relationship and transaction between the parties, so also the possibility of ulterior motives, must be looked into, before passing any directions.

3. While applying the above principles to the facts of the present case, it appears that there is relationship between the parties and a civil dispute pertaining to purchase of property and it appears that the applicant has initiated these proceedings under ulterior motives and intends to convert such civil dispute into a criminal one. The inherent powers of the High Court under section 561-A Cr.P.C are intended to prevent abuse of the process of any Court and / or to secure the ends of justice. In the present case, initiation of proceedings under section 22-A & B Cr.P.C are apparent and therefore in order to secure the ends of justice, such frivolous and vexatious

proceedings are liable to be discouraged. The order passed by the Ex-Officio Justice of Peace appears to be well reasoned and within the parameters of law and all surrounding circumstances have been considered therein. In view of the above, the application, being devoid of merits, is dismissed.

JUDGE

*Muhammad Danish\**