

ORDER SHEET  
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA  
Const. Petition No. S- 453 of 2024  
(Ali Asghar v. Inspector Zulfiqar Ali Sarki & Ors)

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Direction

1. For orders on office objection 'A'
2. For orders on maintainability of main case.

**Date of hearing and Order: 11.03.2025**

Mr. Abdul Sattar Hulio, Advocate for the petitioner.  
Nemo for the private respondent.  
Mr. Abdul Waris K. Bhutto, Assistant A.G for the State.  
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**ORDER**

**Adnan-ul-Karim Memon, J:** Petitioner Ali Asghar Halo has called in question the action of the police officials who in connivance with the private respondent No.4 are causing harassment to the petitioner. He seeks directions to the respondents No.1 to 3 and 5 to 7 not to cause harassment to the petitioner and issue threats of implicating him and his family members in criminal cases.

2. Learned A.A.G. present in the Court seeks disposal thereof with the narration that no harassment shall be caused to the petitioner by the police officials. The petitioner's counsel has no objection. The suggestion seems to be reasonable and acceded to.

3. This Court is of the tentative view that this is a harassment case, emphasizing that "harassment" encompasses a broad range of harmful actions. The court stressed the police department's responsibility, particularly the Senior Superintendent of Police (SSP), to address such issues. While the petitioner has a fundamental right to protection from both police and private harassment, this court clarified that the police retain full authority to act legally if either party commits a criminal offense.

4. The terms "harass," "injure," and "injury" carry wide-ranging meanings in both common usage and legal settings. While related, "harass" is uniquely focused on mental and emotional distress. Its synonyms – weary, perplex, distress, tease,



vex, molest, trouble, and disturb—emphasize this aspect. "Harassment" encompasses torment and vexation, mirroring "torture," which includes mental and psychological abuse. Cruel, inhuman, and degrading treatment, even in police custody, can inflict severe psychological pressure amounting to torture. However, it is crucial to remember that individuals must also abide by the law to ensure the protection of others, including their family members.

5. Article 4 of the Constitution guarantees everyone the right to be treated according to the law, which includes fairness and the elimination of any factors that obstruct legal processes. To uphold this right, this court directs the police to investigate the issue at their end.

6. Higher courts have consistently condemned police harassment. Pakistan, as an Islamic state, must uphold high ethical standards. The Constitution protects citizens' honor and dignity. This court stressed that the misconduct of one family member does not justify subjecting others to dishonor, disrespect, and harassment. Such police actions violate the law, legal ethics, and human rights. Violations of this fundamental right constitute harassment. All executive and judicial officials must operate within the bounds of the law. Article 4 of the Constitution safeguards the right to lawful treatment, which must be rigorously protected against any infringement.

7. In view of such state of affairs, this Court is left with no option but to direct the SSP concerned to take a bond from the private respondent No.4 that no bodily harm shall be caused to the petitioner. Such bond shall be kept at the Police Station concerned. However, the civil and criminal litigation, if any, between the parties, shall be dealt with by the competent Court of law and the police shall be neutral in their private affairs.

8. In view of the above, this petition stands disposed of.