

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

C.P.No.D- 2769 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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11.10.2017.

Mr. Anwar Ali Solangi, Advocate for petitioner.
Syed Meeral Shah, Additional Prosecutor General.
Mr. Muhammad Ismail Bhutto, Additional A.G. alongwith SIP Ghulam Qadir Crime Branch Hyderabad, SIP Gulsher SHO PS Khybrani and ASI Muhammad Bux PS Khybrani.

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Learned A.A.G. files comments on behalf of respondents No.2, 3 and 4, taken on record.

After arguing the case at some length, learned counsel for the petitioner who is the complainant of FIR No.09/2017 P.S. Khybrani u/s 392 PPC which was disposed of by the impugned order dated 17.08.2017 under 'B' class, requests to convert the disposal of the case from 'B' class to 'C' class. This request has not been opposed either by the learned A.A.G. or by the learned Additional Prosecutor General.

We have also seen the record. It appears that the witnesses of the prosecution case have although made contradictory statements during the investigation but they have not wholly denied the incident. In such circumstances,

the disposal of the case under 'B' class is not justified. We, therefore, dismiss this petition however alter the disposal of case from 'B' class to 'C' class.

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

JUDGE

JUDGE