

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

Criminal Miscellaneous Application No.S-770 of 2022

---

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
------	----------------------------------

---

12.09.2022

Mr. Mumtaz Alam Laghari, advocate for applicants.  
Mr. Aijaz Ali Jalbani, advocate for respondent No.3.  
Mr. Fayaz Hussain Sabki, APG.

-----

I have heard the parties. Respondent No.3 had filed an application u/s 22-A6(i) CrPC before learned IV-Additional Sessions Judge / Ex-Officio Justice of Peace, Hyderabad, for registration of a case against applicants for causing him injuries duly supported by medical certificate. This application was allowed vide order dated 06.11.2021 and the SHO PS B-Section Latifabad Hyderabad was directed to record his statement and if a cognizable offence is made out, register FIR against applicants. Further, if in the investigation the version of the complainant / respondent No.3 is found false, initiate proceedings u/s 182 PPC against him.

2. This order has been challenged by the applicants on the ground that very medical certificate has been challenged by them before the Medical Board which has suspended it on account of non-appearance of respondent No.3. However, there is no record that respondent No.3 has ever been served with any notice issued by the Medical Board. It is further informed that after respondent No.3 had received injuries, his leg was broken and he was bed ridden for some time. No illegality is found in the impugned order which appears to be based on proper appreciation of scheme u/s 154 CrPC, which by a simple challenge of medical certificate shall not dilute the same and if information is provided by a person of the facts of a cognizable offence, it is the

duty of the duty officer to incorporate the same u/s 154 Cr.P.C. With these observation, this application is dismissed.

JUDGE

Ali Haider