

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Revision Application Nos.117 to 137 of 2022
(K-Electric (Pvt) Limited vs. The State & others)

21.01.2025.

Malik Khushal Khan, advocate for applicant
Mr. Gul Faraz Khatak, DAG

ORDER

MUHAMMAD IQBAL KALHORO J: K-Electric (Pvt.) Limited through its authorized officer filed 21 (twenty one) complaints against different consumers u/s 462(O) PPC, an offence punishable u/s 462(I) PPC, alleging commission of theft on their part.

2. A preliminary enquiry in terms of section 200 Cr. PC was conducted by the trial Court in which authorized officer was examined. Learned trial Court, however, vide impugned order has dismissed all the complaints observing that K-Electric is bent upon harassing general public by issuing excess bills and thousands of complaints from general public have been filed against it. What the trial Court did not notice for a consideration was the material placed by the K-Electric for forming an opinion that whether an offence as alleged has been made or not.

3. I have gone through the impugned order and have heard the parties. In my view, the trial Court has erred by not considering the material and has simply been influenced by the general perception against K-Electric. In the circumstance, the impugned order is set aside and the matters are remanded to the trial Court to hear counsel for the complainant and consider the material brought on record in the preliminary enquiry and pass a fresh order within two weeks of receiving of this order.

The Cr. Revision Applications stand disposed of along with pending applications in above terms. Office to place a copy of this order in connected matters.

J U D G E

Rafiq/P.A