

ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA
Const. Petition No. S- 290 of 2024
(Ayaz Ali and another v. SHO, PS Waleed & Ors)

DATE	ORDER WITH SIGNATURE OF JUDGE
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Date of hearing and Order: 17.03.2025

Mr. Abdul Rehman Chandio, Advocate for the petitioners.
Mr. Abdul Waris K. Bhutto, Assistant A.G for the State.

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ORDER

Adnan-ul-Karim Memon, J: Learned counsel for the petitioners alleged that the official respondents are harassing the petitioners at the behest of private respondents and issuing threats of falsely implicating them in criminal cases. They have provided to this Court a copy of F.I.R No. 103/2020 of Police Station Warah and a CrI. Misc. Application under Section 22-A-6 (iii), Cr.P.C and supporting documents which are available on pages No. 15 to 37.

2. In compliance with the Court order dated 11.03.2025, police officials are present in the Court and seek unconditional apology to the extent that they will appear before this Court as and when called with further assured that they will not send their subordinates to this Court and shall ensure their appearance in Court and requested for vacating the show cause notice already issued to them by the concerned SSP. With their assurance, the show cause notice needs to be looked into by the SSP concerned, with a warning note to the concerned SHOs who fail and neglect to put their appearance in the Court of law as and when called, however they are directed to be careful in the future.

3. Learned Assistant AG present in Court seeks disposal of this petition on the ground that no harassment shall be caused to the petitioners by the police officials. The petitioners' counsel has no objection on the aforesaid proposal. The suggestion seems to be reasonable and acceded to. However, the police shall be neutral in private affairs of the parties, including civil and criminal cases, if any.

4. In view of the above, this Court is of the tentative view that this is a simple case of harassment, emphasizing that harassment encompasses a broad range of harmful actions. This Court stressed the police department's responsibility, particularly, the Senior Superintendent of Police (SSP), to address such issues. While the petitioners have 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 cognizable offence. The petition stands disposed of in the above terms.