

ORDER SHEET

IN THE HIGH COURT OF SINDH CIRCUIT COURT, LARKANA.

Cr. Misc. Application No.S-62 of 2025.

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objection "A".
2. For hearing of main case.
3. For hearing of M.A No.1167/2025 (S/A).

**14-03-2025**

Mr. Abdul Wajid Khokhar, advocate for the Applicant.  
Mr. Muhammad Azam Sohu, advocate for Respondent  
No.3  
Mr. Nazeer Ahmed Bhangwar, DPG for the State.

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**Khalid Hussain Shahani, J.-** The applicant, Ahmed Nawaz Khoso, has invoked the inherent jurisdiction of this Court u/s 561-A of the Cr.P.C, seeking judicial review of the order dated 28.02.2025, passed by the learned Additional Sessions Judge-I/Justice of Peace, Mehar, in Criminal Miscellaneous Application No.417/2025. By virtue of the said order, issued pursuant to an application under Sections 22-A & 22-B Cr.P.C, the learned Justice of Peace directed the SHO of PS Radhan to record the applicant's statement verbatim and, if the contents thereof disclose the commission of a cognizable offence, to duly register an FIR under Section 154 Cr.P.C.

Heard and perused the record.

The learned counsel for the applicants, despite advancing extensive arguments, was unable to provide any legally sustainable justification to contest the registration of a criminal case against the proposed accused, except for the assertion that the applicant's son had issued the alleged cheque to Respondent No.3 in the course of their business dealings. This assertion, however, implicitly acknowledges the issuance of the cheque in favor of Respondent No.3. Such an act squarely falls within the purview of a cognizable offence under Section 489-F PPC. The registration of an FIR in such

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instances is a statutory obligation, and any failure to do so would amount to a miscarriage of justice. Consequently, the arguments presented by the applicants' counsel do not carry sufficient legal weight to justify any deviation from the well-established jurisprudence mandating the registration of an FIR in cases involving prima facie cognizable offences.

In view of the aforementioned discussion, no legal defect, jurisdictional overreach, or procedural impropriety is discernible in the impugned order issued by the learned Ex-Officio Justice of Peace. The said order aligns with the established legal framework governing the registration of FIRs in cases where a prima facie cognizable offence is apparent. Consequently, the present application, along with all ancillary applications, stands dismissed, as no extraordinary circumstances have been demonstrated that would justify interference by this Court in the exercise of its inherent jurisdiction.

  
JUDGE

Asghar Altaf/P.A