

**Order Sheet**  
**IN THE HIGH COURT OF SINDH,**  
**BENCH AT SUKKUR**

Crl. Misc. Application No.S-209 of 2024

Date of hearing	Order with signature of Judge.
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**Hearing of Case(Priority)**

- 1.For orders on o/objections
- 2.For hearing of main case
- 3.For hearing of CMA 1887/24

**26-05-2025**

Mr. Ahmed Sohail Pathan, Advocate for applicant.  
Mr. Gulzar Ali Malano, Assistant P.G.

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Mr. Muhammad Shakeel Lakho, Advocate files Vakalatnama on behalf of respondent No.1, while SIP-Badaruddin, SHO, P.S, C-section, Sukkur (respondent No.2) files statement along with unconditional apology, same is accepted.

Heard learned counsel for the applicant, learned counsel for the private respondent, learned APG, and perused the material available on record, including the impugned order dated 18.04.2024 passed by the learned Additional Sessions Judge-III/Ex-Officio Justice of Peace, Sukkur, whereby the application filed by respondent No.1 for registration of FIR was allowed and the concerned SHO was directed to record the statement of respondent No.1 (the applicant before the learned Justice of Peace) and, if a cognizable offence is made out, to incorporate his version in the book maintained under Section 154, Cr.P.C.

As per contents of application filed by respondent No.1 before ex-Officio Justice of Peace, an incident took place on 11.02.2024 and the respondent No.1 has produced X-rays reports dated 14.02.2024 in respect of injured and thereafter injured appeared before the doctor at GMMMC, Hospital Sukkur on 05.04.2024. However, there appears no material available on record to indicate that on the date of alleged incident or subsequently within 2/3 days, the injured appeared before any doctor or any hospital. The respondent No.1 was unable to provide

a satisfactory explanation in this regard and merely stated that the injured person visited a “Fracture Maker” for treatment, which is wholly unjustified and does not inspire confidence.

Furthermore, on perusal of the record, it appears that a civil dispute exists between the parties. The mother of respondent No.1, namely Muhammad Faizan, is also present and submits that her son filed the application before the learned Justice of Peace based on a false version and that, in fact, no such incident took place. She confirms that his son and the injured met with an accident, from where she received some injuries and by manipulation some false facts, her son appeared before the Court for obtaining order for registration of FIR.

In view of the above, the applicant has succeeded to make out a case for interference. Accordingly, the instant Criminal Miscellaneous Application is **allowed** and the impugned order dated 18.04.2024 is hereby **set aside**. However, the respondent No.1 is at liberty to file a **Criminal Direct Complaint** before the competent Court of law having jurisdiction, if he is in possession of any tangible material in support of his claim.

**JUDGE**

Ahmad