

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.**

Criminal Revision Application No.S- 89 of 2025

Mst. Fozia and another

Vs.

SSP Hyderabad and others

1. For orders on MA 8597/2025.
2. For orders on office objection.
3. For orders on MA 8598/2025.
4. For hearing of main case.

14.10.2025.

Mr. Mashooque Ali Mahar, Advocate for applicants.

ORDER

JAWAD AKBAR SARWANA, J: Applicant No.1 Mst. Fozia and her son, applicant No.2, Muhammad Bilal, have filed this Criminal Revision Application, aggrieved by the order dated 13.05.2025 wherein the Ex-Officio Justice of Peace Hyderabad declined the applicant's prayer to the Court to direct the Police Authorities to record the statement u/s 164 Cr. P.C. and register the FIR against the proposed accused.

Counsel for the applicants concedes that the FIR No.63/2025 has been registered at Police Station Site, Hyderabad and the matter was investigated when the applicants approached the Ex-Officio Justice of Peace. He further conceded that the incident mentioned in his application arose out of the same incident that took place on 30.04.2025. His primary grievance is that although the final challan has been submitted, it was one-sided and entirely in favour of the proposed accused who lodged the FIR filed earlier in time, and that the concerned I.O. did not record statements of the applicants / accused, properly. For this reason, he contends that a separate FIR may be registered.

Heard counsel. Learned counsel candidly concedes the principles of the Sughra Bibi case apply to the case at hand. He has not been able to point out any facts and/or circumstances which can distinguish the Sughra Bibi Case. The applicant's assertion that another FIR may be lodged, as the final challan submitted

by the I.O. before the trial Court is improper and there is a delay, does not inspire confidence. The same does not trigger any cause of action to register a separate FIR concerning the same crime. The entire machinery under the Criminal Procedure Code is available to challenge the final challan submitted by the I.O., and/or to take any other action. The applicants remain at liberty to do so. Applicant's grievance cannot be entertained in a Criminal Revision Application against the impugned Order passed by the Ex-Officio Justice of Peace declining to pass orders to the Police Authorities to record Statements leading up to registration of an FIR.

In the circumstances, this Criminal Revision Application is dismissed with the observation that applicants are at liberty to raise their challenge to the Final Challan to safeguard their interest as deemed fit.

JUDGE

Tufail