

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Misc. Application No. 68 of 2018
[Muhammad Zeeshan Khan & another vs. State & another]

Cr. Misc. Application No. 76 of 2018
[Riafat Zaman Kayani vs. State & another]

Applicants : through Mr. Ahmed Masood,
Advocate.

Respondent : The State
through Mr. Ali Haider Saleem,
Addl. Prosecutor General Sindh

Date of hearing : 18.09.2025

Date of Order : 23.09.2025

ORDER

Omar Sial, J: An order dated 27.03.2018 passed by the learned 3rd Judicial Magistrate, Karachi South, has been challenged in these proceedings. The relevant background is that the learned Magistrate took cognizance of a police report submitted in the case arising out of F.I.R. No. 238 of 2017 registered under sections 302, 109, and 34 P.P.C.

2. The case diaries reveal that instead of seeking bail, the accused managed to get the warrants issued against them suspended on 13.04.2018, and that is the position even after seven years. It is now well settled that a Magistrate is not bound to agree with a police recommendation. In the event the applicants are of the view that they are innocent they can move an application under section 265-K Cr.P.C.

3. Given the above, the interim order is recalled and the applications dismissed. A copy of this order to be sent to the learned Trial Court.

JUDGE

