

49
47

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
Crl. Misc. Appln. No.S-160 of 2021.


DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on M.A.No.2469/2021.
2. For orders on office objection 'A'.
3. For orders on M.A.No.2470/2021.
4. For hearing of main case.

31.05.2021

Mr. Irfan Badar Abbasi, advocate for the applicants.

Learned counsel has impugned an order passed by the Court of learned Ist. Additional Sessions Judge/Justice of Peace, Mehar, in terms of which the learned Judge has ordered the relevant SHO to hear the grievance of Abdul Jabbar and if he comes to the conclusion that a cognizable offence has been made out, only then to register an F.I.R. Simultaneously, if the SHO comes to the conclusion that false case has been registered, the SHO may act in accordance with law. It is clarified that the fact that the learned Judge has directed the SHO to record the statement of the complainant Abdul Jabbar does not mean that he mandatorily has to register an F.I.R. The SHO has to apply his independent mind to determine whether a cognizable offence has been made out in which case he registers an F.I.R or if a non cognizable case is made out in which he follows the procedure laid down in the Criminal Procedure Code or if the SHO reaches to conclusion that false case has been made out her has to proceed in accordance with law. Learned counsel submits that he is satisfied with such clarification and does not press this petition further. Accordingly, instant petition stands disposed of along with the listed applications. Let a copy of this order be sent to the relevant SHO as well as office of learned Addl. P.G.


Judge