

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD
C.P. No.D-813 of 2025

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For order on MA No.3617/2025.
2. For order on office objection.
3. For order on MA No.3618/2025.
4. For order on MA No.3619/2025.
5. for hearing of main case.

29.05.2025

Mr. Rajab Ali Chang advocate for petitioner.

1. Urgency granted.

3. Granted subject to all just exceptions.

2,4&5. Learned counsel for the petitioner contends that the petitioner is running a vegetable shop at New Sabzi Mandi, Hyderabad; however, respondents No.5 and 6 have repeatedly disturbed and harassed him, threatening that if he fails to pay them illegal gratification, it will not be well for him. He further contends that, upon the petitioner's refusal to comply with the unlawful demands of respondents No.5 to 8, respondent No.5 became annoyed and began to harass and threaten the petitioner. He further contends that on 06.05.2025, while the petitioner was present at his vegetable shop along with his son, respondent No.6, accompanied by police officials, arrived in a white Rivo double cabin vehicle and again demanded illegal gratification. Moreover, respondents No.5 to 8 allegedly issued serious threats to implicate the petitioner and his family members in false criminal cases. As a result of these threats, they allegedly managed through their associates to have a false FIR registered, bearing Crime No.134 of 2025 under Sections 506, 504, 147, 148, 149, and 337-H(ii), PPC, at Police Station Hatri, Hyderabad, against the petitioner, his sons, and others. Hence, learned counsel prays for the quashment of the said FIR and for protection to the petitioner.

From the assertions made by learned counsel for the petitioner, it is evident that the petitioner seeks the extraordinary relief of quashment of FIR No.134 of 2025, registered under

Sections 506, 504, 147, 148, 149, and 337-H(ii), PPC, at Police Station Hatri, Hyderabad, on the ground that the said FIR is false and has been lodged maliciously as a result of the petitioner's refusal to accede to unlawful demands for illegal gratification by the private respondents. However, it is a settled principle of law that quashment of an FIR is an exceptional relief, to be granted cautiously and only in cases where the FIR on the face of it is obviously false, legally incompetent or amounts to an abuse of process. The veracity of the allegations and the innocence of the accused are questions of fact that can only be adjudicated upon after recording of evidence before the competent trial court. Mere assertions of false implication, in the absence of cogent material, are insufficient to invoke the constitutional jurisdiction of this Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973. Nevertheless, the petitioner, being aggrieved, may avail appropriate remedy before the trial court, including an application under Section 249-A or 265-K Cr.P.C. as may be applicable. As regards the allegation of harassment, it is observed that all citizens, including the petitioner, are entitled to lawful protection and the concerned police officials are legal bound to act strictly in accordance with law, refraining from causing harassment to the petitioner or his family members.

In view of the above, instant petition is **dismissed in *limine***, along with all pending applications, as being not maintainable.

JUDGE

JUDGE