

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Constitution Petition No. D- 742 of 2026

(Mst. Sameena Shar Vs. Province of Sindh & others)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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Before;

Adnan-ul-Karim Memon, J;
Muhammad Abdur Rahman, J;

Date of hearing and order: 16-06-2026.

Mr.Qurban Ali Shar Advocate for petitioner.
Mr. Khalil Ahmed Maito, Deputy Prosecutor General.

ORDER.

Adnan-ul-Karim Memon, J:- The petitioner, Mst. Sameena Shar, invoked Article 199 of the Constitution seeking quashment of FIR No. 06/2025 registered at Police Station Wagan, District Qambar @ Shahdadkot against her and FIR No. 29/2026 under Sections 457, 380, 34 PPC registered at the same police station against her brother-in-law. She also sought protection for herself and her family and prayed that no false FIRs be registered against them on the instigation of private respondents.

2. Learned counsel for the petitioner expressed apprehension regarding threats to the petitioner and her family.

3. No one appeared on behalf of the police department.

4. In view of the facts and circumstances brought before this Court, the apprehensions expressed by the petitioner regarding threats and possible false implication cannot be lightly disregarded. The constitutional jurisdiction under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, is primarily meant to ensure the protection of fundamental rights, including the right to life and liberty guaranteed under Articles 9 and 10A of the Constitution.

5. However, the extraordinary remedy of quashing of FIRs is to be exercised sparingly and only where the allegations, on their face,

disclose mala fide intent, lack of jurisdiction, or are manifestly absurd and incapable of substantiation. In the present case, the record does not presently justify outright quashment of the FIRs at this preliminary stage. Rather, the matter calls for proper investigation by the police in accordance with law.

6. It is settled law that criminal investigation is the domain of the police, and constitutional courts ordinarily do not interfere with such process unless it is shown that the same is being conducted in abuse of process of law or for ulterior motives. At the same time, where credible apprehension of harassment or misuse of authority is raised, the Court is empowered to ensure protective and procedural safeguards to prevent abuse of criminal process.

7. Accordingly, this Court deems it appropriate to safeguard the petitioner's rights and ensure fair investigation. The SHO concerned is therefore directed to provide adequate legal protection to the petitioner and her family, obtain a PR bond in the sum of Rs. 500,000/- from the private respondents as a measure to prevent coercion or false implication, and submit the same before the Additional Registrar of this Court.

8. The SHO shall further record the statement of the petitioner and conduct the investigation strictly in accordance with law. A final report under Section 173 Cr.P.C. shall be submitted before the concerned Magistrate within three weeks, in terms of the statement of the lady.

9. The petition is accordingly disposed of in the above terms.

Let a copy of this order be communicated to SSP concerned for compliance.

JUDGE

JUDGE