

Order Sheet

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

**Cr. Misc. Application No.S-174 of 2026**

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DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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For orders on office objections.  
For hearing of main case.

**30-04-2026**

Ms. Sana Memon, Assistant Prosecutor General, Sindh.

ASI Shahzaib Bhatti, focal person SSP office, Nawabshah.

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Applicant Lutufullah Magsi is aggrieved by the Order dated 24.03.2026 passed by the 1<sup>st</sup> Additional Sessions Judge/MCTC, Shaheed Benazirabad in Criminal Miscellaneous Application No.99 of 2026.

In connection with an application filed under Section 491 Cr.P.C. for the production of 16 detainees, during the raid at the concerned P.S. Kishorepur while the said detainees were not found at the police station; however four other detainee ladies, namely Shahnaz, Gulan, Shabeeran, and Sabul, were found present inside a room of the said police station. This was contested by the concerned police officials, who argued that the said ladies were merely present at the main gate of the P.S. There was simply no illegal and/or unlawful detention.

After hearing the parties, considering the reports available, the learned 1st Additional Sessions Judge, Shaheed Benazirabad, found no lawful justification for the incident, contradictory stance taken by the police officials, misuse of authority, unlawful restraint, etc. and ordered SSP Shaheed Benazirabad to initiate proceedings and submit report as well imposed fine of Rs.10,000/- to be paid to each detainee as compensation.

Learned APG submits that there is no illegality in the impugned order.

I have heard the matter thrice now, including on two previous dates, i.e. 09.04.2026 and 20.04.2026. This matter has been called twice today but none is present on behalf of the applicant. No intimation is received. No valid grounds have been made out for illegal detention of the four women and the concerned Court has passed order well within its powers. On perusal of record I do not find any ground for interference as no illegality or irregularity is found in the impugned order. The applicants have failed to identify specifically the lacuna in the impugned order. In the facts and circumstances no case is made out to set-aside the same. In view of foregoing, this Criminal Miscellaneous Application is dismissed.

J U D G E

Irfan Ali