ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Misc. Application No. S- 749 of 2026
(Zahid Ali Mangnejo versus State and others)

Date of hearing	Order with signature of Judge

1. For Orders on office objection.
2. For hearing of MA No. 6823/2026 (Stay)
2. For hearing of main case.

06-11-2026

Mr. Amjad Ali Channa, Advocate for Applicant.

Mr. Imtiaz Ali Chadhar advocate for respondent No.3.

Mr. Mansoor Ahmed Shaikh, D.P.G for the State.

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Suresh Kumar,J. Through instant Crl Misc. Application under section 561-A Cr.P.C, the applicant has impugned order dated 13-10-2026 passed by learned 1st Additional Sessions Judge/Ex-officio Justice of Peace, Khairpur in Cr. Misc. Application No.4588/2026 Re. Sadam Hussain Vs. The State and others filed by the respondent No.3 for registration of FIR against the applicant, which was allowed.

2. The allegations set forth in the application under Sections 22-A & 22-B Cr.P.C., filed by respondent No. 3 before the learned Ex-Officio Justice of Peace, are that on 18-10-2025, at about 3:00 p.m., the proposed accused, namely, Waseem, Dawood, Zahid, Imran, Abdul Rauf, Khadim, Khalid, Uzair, Sadar alias Abdul Hadi and Uzaif, duly armed with deadly weapons, trespassed into the house of respondent No. 3 and overpowered the inmates by putting them under threat at gunpoint. Thereafter, the accused persons caused injuries to the applicant and his brothers, namely, Jameel Ahmed and Abdul Ahmed, and also fired upon Abdul Ahad with the intention of committing his murder. Subsequently, the accused persons fled from the scene while extending threats of murder to the applicant and his family members.

3. I have heard learned counsel for applicant, learned DPG for the State as well learned counsel for respondent No. 3.

4. Having given due consideration to the arguments advanced by counsel for parties and perused impugned order. From the perusal of impugned order, it reveals that learned Ex-Officio Justice of Peace has passed the following order:-

> *"In these circumstances, it transpires that petitioner has approached the SHO and obtained letters for MLC. But SHO is reluctant to record the statement of petitioner. The petition is directed to once again approach the SHO concerned PS. The SHO shall record the statement of the petitioner as per MLC and do needful as per law"*

5. From the perusal of the above order, it is evident that the learned Ex-Officio Justice of Peace has directed the Station House Officer (SHO) to record the statement of applicant/respondent No. 3 in accordance with the Medical Legal Certificate (MLC) and to take necessary actions as per the law. Upon reviewing the contents of the application/complaint, it transpires that complainant/respondent No. 3 has made allegation of criminal trespass, criminal intimidation and injuries inflicted upon Abdul Ahad, Saddam Hussain, and Jameel Ahmed. While it is noted that all injuries have been classified as Shujah-i-Khafifah and other hurts. No doubt both injuries section are non-cognizable offence, but criminal intimidation and criminal trespass are cognizable offences. The learned counsel for the applicant has primarily contended that the medical certificate is one year old and that complainant/respondent No. 3 has procured the medical certificate improperly. This issue can be resolved during the investigation following the registration of the FIR. The SHO is bound to register the FIR if a cognizable offence is made out from the contents of the statement. The learned counsel has failed to identify any illegality in the impugned order.

6. For the reasons above, I am of the considered view that the Crl. Misc. Application merits nor consideration; therefore the same is dismissed while the impugned order passed by learned Ex-Office Justice of Peace is here maintained.

J U D G E

Nasim//P.A