

**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD.  
C.P.No.S-282 of 2014.**

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**DATE ORDER WITH SIGNATURE OF JUDGE**

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For orders on MA 8500/2014.  
20.08.014.

Mrs. Razia Ali Zaman Advocate for the petitioner

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The petitioner claims that the police has illegally detained him for two days, however, during his illegal confinement this petition was not filed nor any application for issuance of rule nisi was filed. The petitioner is present himself before this court, therefore, it becomes factual controversy as to whether he was in wrongful confinement or not and no factual controversy can be decided in the constitutional petition. The other aspect of the matter is that the parties are facing civil litigation. The petitioner has lost twice his claim of ownership of immoveable property in the suit as well as in appeal and according to learned counsel, Civil Revision is also pending before this court since 2013. The petitioner may file a private complaint u/s 200 Cr.P.C against the police official, who has committed the offence or make an application to the SHO and on his refusal he may file an application u/s 22-A Cr.P.C before the competent court of law seeking directions to police to register the FIR.

In the above circumstances, since the petitioner has remedy in accordance with law, this petition is not maintainable which is dismissed. Urgency application stands disposed of.

JUDGE

A.K