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**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**

Mr. Justice Naeem Akhter Afghan  
Mr. Justice Salahuddin Panhwar

**Criminal Petition No.1596/2023**

*(Against Judgment dated 13.11.2023 passed by the Peshawar High Court, Mingora Bench (Dar-ul-Qaza) in Quashment Petition No.4-M/2020)*

Shahzada Muhammad Hisham-ul-Mulk S/o  
Zia ul Mulk (late) and others

...Petitioner(s)

Versus

The State thr. A.G. Khyber Pakhtunkhwa and  
others

...Respondent(s)

For the Petitioner(s) : Ms. Raheema Khan, ASC

For the State: : Mr. Zahid Yousafzai, Govt. AOR

Date of Hearing : 11.09.2025

**ORDER**

**Naeem Akhter Afghan, J.** – Record perused. During arguments it revealed that the civil suit between the parties is at the final stage/near conclusion. It further reveals that after passing the impugned judgment dated 13.11.2023 by the learned Judge of Peshawar High Court, Mingora Bench (Dar-ul-Qaza), complaint has been filed by Station House Officer (SHO), Drosh on 30.11.2023, under Sections 107/150 of the Code of Criminal Procedure, 1898 for obtaining peace sureties from the parties on the ground that there is apprehension of breach of peace between the parties due to final stage/conclusion of civil suit.

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2. It transpires that all the legal and factual aspects have been well attended by learned Judge while passing the impugned judgment. Para-6 of the impugned judgment reads as follows :

“Since the civil suit between the parties regarding the subject land is pending before the civil Court which will decide ownership of the parties and the land has remained under attachment for sufficient long period, therefore, it is deemed fair and just to wind up the proceedings under section 145, Cr.P.C. initiated on the complaint of local police. Thus, the instant petition is allowed, the orders of both the learned courts below are set aside and compliant under section 145, Cr.P.C. is dismissed. However, this order shall not affect the restraining order, if any, of the civil Court in the suit pending between the parties”.

3. The impugned judgment is not suffering from any illegality warranting interference by this Court.

4. For the above reason, while refusing leave to appeal, the petition is dismissed.

Islamabad,  
11.09.2025

Sarfraz/-

“Not approved for reporting”

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