

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

**Present:**

Mr. Justice Sajjad Ali Shah  
 Mr. Justice Muhammad Ali Mazhar

**Cr.P. No. 178-K/2021**

(Against the Order dated 29.11.2021 passed  
 by the High Court of Sindh, Karachi in  
 Cr. Misc. Application No. 121/2021)

*Choudri Iftikhar Ahmed.*

.... *Petitioner*

**Versus**

*The State & others.*

... *Respondent(s)*

Petitioner:

In-person.

For the Respondents:

Mr. Saleem Akhter, Addl. P.G.  
 Along with Sadam Hussain,  
 SP Jamshed Town

Respondent No.1

In person

Date of Hearing:

30.06.2022.

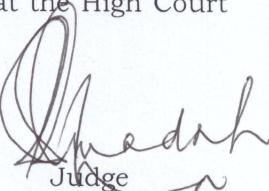
**ORDER**

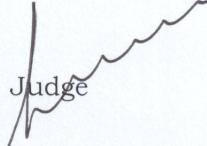
**Sajjad Ali Shah, J.**- The issue in the instant petition appears to be as to whether a report submitted by the Investigating Officer under Section 173 Cr.P.C. declaring a case to be false, could by consent be converted into a Cancelled Class. The Investigating Officer after conducting thorough investigation has given his finding that the FIR was falsely lodged and therefore, proceedings were to be initiated against the Complainant and the High Court without applying its judicial mind or deciding the controversy has by consent closed the chapter by converting the report of the Investigating Officer directing action for lodging false FIR into Cancelled Class.

2. In the circumstances, the order of the High Court on legal premises could not be sustained as not found in accordance with law. The order consequently, is set-aside and the matter is remanded back to the High

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Court where it would be deemed pending. We expect that the High Court would decide the matter as expeditiously as possible.

  
Amjad  
Judge

  
Judge

Bench-I  
Karachi;  
30.06.2022  
(Amjad P.S.)

