

W.P No.2455/2019.

4. I have heard the arguments and gone through the record.

5. Perusal of the record reveals that the petitioner filed an application to the SHO, P.S Lohi Bher, Islamabad that he was abroad in connection with his job in Malaysia and when came to Pakistan on 17.09.2018 his house hold articles including the vehicle, cash amount and other jewellery were stolen by five to seven unknown persons, however, his application was not entertained by the SHO and even his application U/S 22-A & 22-B, Cr.P.C was dismissed on the police report.

6. Learned counsel for the petitioner has been confronted whether the petitioner has any claim against his wife or her family members, whereupon he categorically stated that the petitioner has some dispute with his wife but he is not leveling any allegation against his wife or her family members rather his house hold articles were stolen by some unknown persons and his family dispute has nothing to do with the stolen articles.

7. Be that as it may, the application filed by the petitioner to the SHO discloses commission of cognizable offence. Learned Justice of Peace has not appreciated the issue in terms of law and gone beyond his jurisdiction by declaring that the matter in question is civil dispute, which is against the facts.

8. In view of the above reasons, the instant writ petition is allowed, impugned order dated 22.06.2019 is set aside. SHO, P.S Shalimar is directed to register the FIR forthwith.

(MOHSIN AKHTAR KAYANI)
JUDGE

R. Anjum