

**ORDER SHEET.**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**W.P No. 209/2019**

Naseer Hussain Gillani

Versus

District and Sessions Judge (East), Islamabad etc.

<b>S. No. of order/ proceedings</b>	<b>Date of order/ Proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
<b>(02)</b>	18.01.2019	Petitioner in person.

**MOHSIN AKHTAR KAYANI J.** Through this writ petition, the petitioner has prayed for issuance of direction to the respondents to transfer the investigation of case FIR No.303/17, dated 02.11.2017, U/s 420, 506/34 PPC read with 25-D Telegraph Act, P.S Sihala, Islamabad.

2. Petitioner in person contends that after registration of the above mentioned FIR, he has prayed for the change of investigation from the concerned Investigation Officer, but the same was not transferred by the SSP, Islamabad and finally, he approached the learned Ex-Officio Justice of Peace/Additional Sessions Judge (East), Islamabad through an application U/s 22-A&B Cr.P.C, same was dismissed vide order dated 19.12.2018 and as such he suffered a lot at the hands of local police.

3. The petitioner was confronted regarding the status of criminal case, in response to the said query he contends that the challan has been submitted before the Court on 25.01.2018 and charge has been

framed and matter is in trial. All such contentions raised by the petitioner gives rise to a situation that the investigation at this stage could not be changed, especially when the story narrated by the petitioner reveals that it is a dispute qua the recovery of Rs. 20,000/- only. Even the petitioner is pressing hard for issuance of direction for the recovery of his amount of Rs. 20,000/-.

4. Be that as it may, this Court in constitutional jurisdiction is not in a position to grant such kind of relief, which is otherwise not permissible. The petitioner failed to point out any legal defect in the impugned order dated 19.12.2018, passed by learned Ex-Officio Justice of Peace/Additional Sessions Judge (East), Islamabad, hence instant writ petition is misconceived and same is hereby **dismissed in limine** with the warning to the petitioner to avoid from filing of such kind of frivolous petition in future as the same amounts to wastage of precious time of the Court.

**(MOHSIN AKHTAR KAYANI)**  
**JUDGE**

Ramzan