

Form No: HCJD/C-121.
ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

Writ Petition No. 4489 of 2014

Imran Masih
Vs
SHO, P.S Lohi Bher, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
------------------------------------	----------------------------------	--

<u>06-11-2019.</u>	Mr. Qamar Hussain Sabzwari, Advocate for the petitioner. Mr. Sadaqat Ali Jehangir, State Counsel. Mr. Bilal Ahmed, S.I P.S Lohi Bher, Islamabad.
--------------------	--

The petitioner through this petition has assailed order, dated 20.10.2014, whereby the learned Ex-Officio Justice of Peace had dismissed the petition seeking registration of criminal case.

2. The learned counsel was asked whether after passing of the impugned order in 2014, the petitioner had availed alternate remedy by way of filing private complaint under section 200 of the Criminal Procedure Code, 1898. The learned counsel has answered in the negative. The learned counsel has stated that since the instant petition was pending therefore, alternate remedy was not availed by the petitioner.

3. In view of the above, this Court is not inclined to exercise jurisdiction under Article 199 of the Constitution of the Islamic

Republic of Pakistan, 1973. The petitioner could have availed remedy of filing private complaint under section 200 of the Criminal Procedure Code, 1898 which he preferred not to do so. This Court after delay of more than five years is not inclined to consider the matter for registration of a criminal case because it would be ^{an} exercise in futility.

4. For what has been discussed above, this petition is dismissed.

CHIEF JUSTICE

Saeed.