

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

Writ Petition No. 2679 of 2020

Jehanzeb Naseer  
Vs  
The State, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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25-09-2020. Raja Faisal Younis, Advocate for the petitioner.

The petitioner through this petition has assailed order, dated 05.09.2020, passed by the learned Ex-Officio Justice of Peace, East Islamabad.

2. With the able assistance of the learned counsel, the impugned order has been carefully perused. The learned counsel was asked whether the alternate remedy provided under the law i.e. filing a private complaint has been availed by the petitioner? He has answered in the negative. The learned counsel has placed reliance on the judgment reported as "*Muhammad Bashir vs. Station House Officer, Okara Cantt. and others*" [PLD 2007 SC 539].

3. It would be appropriate not to comment on merits of the case lest it may prejudice  
/ the rights of the petitioner. This Court is

satisfied that an adequate and efficacious alternate remedy by way of filing a private complaint is available under the law. The said remedy may be more effective than registration of a criminal case. The petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, which is discretionary in nature and is subject to the satisfaction of the High Court that no other adequate remedy is available under the law. In this case effective and efficacious remedy has been provided under the law. The petitioner, if so advised, shall be at liberty to avail the same.

4. For the above reasons, this Court is not inclined to exercise its jurisdiction under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 and, therefore, the instant petition is accordingly dismissed.

*CHIEF JUSTICE*

Saeed.