

Form No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

Writ Petition No.2547 /2020

Tariq Javaid

Vs

Learned Additional Sessions Judge-VII West 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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15.09.2020	Mr. Jawad Hussain Aadil, Advocate for the petitioner.
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The petitioner, through the instant petition,
has assailed order dated 11.09.2020 passed by
respondent No.1.

2. The facts leading to filing of this petition
are that a complaint was filed by respondent No.3
before the police authorities and due to inaction
on their part an application under Sections 22-A
& 22-B Cr.P.C. was filed before respondent
No.1. The referred application was allowed vide
the impugned order.

3. Learned counsel for the petitioner
contended that at the relevant time the petitioner
was in Denmark. It was also submitted that the
petitioner has not been heard as he was abroad
and returned on 08.09.2020.

4. Arguments advanced by the learned

counsel for the petitioner have been heard and the documents placed on record perused with his able assistance.

5. Through the impugned order respondent No.1 allowed the application under Sections 22-A & 22-B Cr.P.C. filed by respondent No.3 and respondent No.2 was directed to register a case against the culprits. It is trite law that the police under Section 154 Cr.P.C. is bound to register the complaint of any person where cognizable offence is made out. The facts of the application under Sections 22-A & 22-B Cr.P.C. as well as application made to Senior Superintendent Police, Islamabad shows that a cognizable offence is made out; the veracity of the complaint is to be duly investigated by the police and the petitioner shall have ample opportunity to narrate his side of the story. There is nothing on record to show that the impugned order suffers from any jurisdictional error or illegality warranting interference.

6. In view of the above, the instant petition is without merit and is accordingly dismissed *in limine*.

(AAMER FAROOQ)
JUDGE