

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**

Mr. Justice Irfan Saadat Khan  
Mr. Justice Muhammad Shafi Siddiqui

**Criminal Petition No.149-K/2024**

Against the order dated 21.10.2024 passed by High Court of Sindh, Karachi in Cr. Misc. Application No.206/2024.

Mst. Madiha Bano ...Petitioner(s)

**Versus**

Senior Superintendent of Police Complaint Cell ...Respondent(s)  
South Karachi and others

For the Petitioner(s): In person

For the Respondent(s): N.R

Date of Hearing: 25.03.2025

**O R D E R**

**Muhammad Shafi Siddiqui, J.-** We have heard the petitioner who appeared in person.

2. The record reflects that the petitioner was a student of IBA Karachi where her admission was "terminated", as stated, for some reasons, including the one that her progress was not up to the mark. On the alleged allegations that she was subjected to mental torture and was humiliated and blackmailed by the respondents, she filed an application under section 22A and 22B Cr.P.C. for registration of the FIR against respondent No.3. Prior to filing the said application it is also noticed, as claimed, that she approached SHO of police station Nabi Bux but he did not register the FIR for reasons.

3. It appears that after hearing the application under section 22A and 22B Cr.P.C. the same was dismissed on 31.01.2024 by the Additional Sessions Judge/Ex-Officio Justice of Peace giving details and reasons for doing so.

4. For the sake of clarity the paragraphs No.4 and 5 of the order dated 31.01.2024 passed by the Additional District Judge IX/Ex-officio Justice of Peace are reproduced as under:-

*"4. I have gone through the entire material available on record. Learned SP complaint cell got the inquiry conducted through SHO, who submitted report dated 18.01.2024, which reveals that the petitioner got the scholarship from Benazir Scholarship Program ie. Graphic Designing, while she had already completed the course in that program in 2020, hence she was informed that she had already joined that course and she was also told that, but on the request of representative of (BBSHRRDB) she was allowed to attend the class. During the course she demanded her offer letter to which she was told that she had already secured the course and if she wanted offer letter she had to contact (BBSHRRDB) office, she thereafter misbehaved with the trainee and also made shouting in the office. The staff requested her to contact (BBSHRRDB) representative but in vain. After that representatives of the (BBSHRRDB) named Haq Nawaz and Mehmood were contacted and talked her for a long time, then she left away, then moved present application.*

*5. The proposed accused in his objections denied the allegations and disclosed that petitioner was not eligible for admission being over aged as her CNIC depicted date of birth as 07.11.1987, and the required age for admission of student was 18 to 35 years, and she could have availed of one time opportunity, which she had already availed of, and further trying to get admission again with ber stipend. Inspite of that she was only allowed to get an extra training on humanitarian ground, but on 04.01.2024 she started disrupted behavior in the class, and trainer IBA-CICT made report to administration of IBA Karachi about the incident. The report of trainer IBA-CICT is reproduced as under...:"*

5. Aggrieved of it, Cr. Miscellaneous Application No.206 of 2024 was filed before the High Court which met the same fate. The High Court found no illegality in the order impugned before it. The two Courts below concurrently found that the petitioner was aggrieved of the fact that she was dropped out of the class and her admission was terminated due to her performance as it was poor and not up to the mark. The two Courts below found no cognizable offence and dismissed the application of the petitioner, leaving the petitioner at liberty to avail proper remedy.

6. The petitioner has not stated anything which could take us to form a view other than the one already formed by the Additional District Judge/Ex-Office Justice of Peace and the High Court in Criminal Misc.

Application. Indeed the petitioner has avenues available which were left open for her vide impugned order. Thus, we are not inclined to interfere with the findings of the two forums below and instant Criminal Petition is accordingly dismissed.

Judge

Judge

Karachi  
25.03.2025

*“Not approved for reporting”*