

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

Mr. Justice Gulzar Ahmed, CJ

Mr. Justice Ijaz ul Ahsan

Mr. Justice Qazi Muhammad Amin Ahmed

Criminal Petition No.146-K of 2021

(Against the judgment dated 25.10.2021 passed by the High Court of Sindh Circuit Court Hyderabad in Cr. Bail Application No.S-860 of 2021)

Ameer Maviya alias Maviya and others

...Petitioner(s)

Versus

The State

...Respondent(s)

For the Petitioner(s):

Mr. Manzoor Ahmed Panhwar, ASC
Mr. Ghulam Rasool Mangi, AOR
with petitioners.

For the State:

N.R.

Date of hearing:

25.11.2021.

ORDER

Qazi Muhammad Amin Ahmed, J.- The petitioners, accompanied by 5/6 unknown companions, armed with hatchets and pistols, allegedly mounted assault, in the backdrop of ongoing civil litigation, as a consequence whereof, Parvez Ali and Mashooq Ali PWs, endured multiple injuries; the incident occurred on 18.6.2021 within the precincts of Police Station Taloka Matli, District Badin; the injured were medically examined, purportedly under a police docket, on the same day, however, a criminal case were registered as late as on 01.09.2021, that too, on the intervention of a Justice of Peace.

Petitioners' plea of false implication and intended arrest with the stains of *mala fide* failed to weigh both with the Court of Session as well as the High Court of Sindh.

2. Heard. Record perused.

3. A detailed plea, argued at inordinate length, hardly merits consideration to even obliquely entertain any hypothesis of *mala fide* in an incident that presents a usual run of the mill criminal case. Statutory procedures to investigate a crime cannot be held in abeyance

in a routine without grievously undermining the effective functionality of the investigative process, a step essentially to be taken in the face of justifiably compelling considerations to thwart the process of law in aid of justice, hardly a case in hand. View concurrently taken by the Court of Session as well as the High Court, being well within the remit of law, calls for no interference. Petition fails. Leave declined.

Chief Justice

Judge

Judge

Karachi, the
25th November, 2021
Azmat/-