

IN THE COURT OF ADDITIONAL SESSIONS, JUDGE V/EX-OFFICIO, JUSTICE OF PEACE, SUKKUR  
Cr. Misc. Appln. No.1306/2025

Sahib Khan @ Sabir Ali S/o Muhammad Safar Memon-----Applicant

VERSUS

SSP, Sukkur and others ----- Respondents.

Cr. Misc. Appln. No.1307/2025

Sahib Khan @ Sabir Ali S/o Muhammad Safar Memon-----Applicant

VERSUS

SSP, Sukkur and others ----- Respondents.

Mr. Ayaz Ahmed Bhayo, Advocate for applicant.

Mr. Muhammad Alam Jatoi, ADPP for the State.

Mr. Rajesh Kumar Khangaija, Advocate for respondents No.2 to 4.

Mr. Nisar Ahmed Memon, Advocate for respondent No.5

O R D E R

19.5.2025

By this order, I intend to dispose of Cr. Misc. Application filed by applicant Sahib Khan @ Sabir Ali one application bearing No.1306/2025 is regarding the prayer as under:

(a). That this Honourable Court may be pleased to direct the respondent No.1 to provide every sort of legal protection to the life, liberty and property of the applicant and his family members.

(b). To restrain the official respondent No.3 not to cause harm to the applicant and his family members in future.

(c). to direct the private respondent No.3 to 5 to appear in person before this Honourable court with relevant record in order to ascertain the truth.

(d). To grant any other relief which this Honourable court deems fit and proper under the circumstances of the Case.

The second application is regarding the prayer as under:-

(a). To direct the respondent No.2 to record the statement of the applicant at his verbatim according to law, if the cognizable offence is made out and FIR may be registered against the proposed accused persons.

(b). To grant any other relief which this Honourable Court deems fit and proper under the circumstances of the case.

The main contention of the learned counsel for the applicant are that the proposed accused persons illegally and unlawfully encroached into Chili Factory and by unauthorized means seized the Chilli and Raw material. The learned counsel mainly argued that proposed accused committed cognizable offence and unlawfully claimed ownership over the property of the applicant and intended to occupy the same therefore, cognizance may be taken against them.

The learned counsel for the respondents mainly contended that the applicant is in illegal possession of the public property and under the umbrella of the law, the official respondents are complying the orders of the authorities for getting vacant possession of the property. The learned counsel for the respondents draw the attention of this Court towards the orders issued by the authorities for removal of the encroachment. He further stated that the reports of the laboratory sent by the Food Control Authority are showing that there was adulteration in the Chilli powder and such facts are confirmed in the reports submitted by the respondents.

I have carefully gone through the material brought on record by both the parties and noted that applicant approach this Court with unclean hands, therefore, he is not entitled for relief claimed by him. However, the applicant is at liberty to challenge the orders issued by the authorities and documents produced by the respondents under the scheme of law. With these observations, both applications stands disposed of accordingly.

Announced in open Court.

Given under my hand and seal of the Court,  
this the 19<sup>th</sup> day of May, 2025.

Sd/  
(Rajab Ali Shar)

Additional Sessions Judge-V/Ex-Officio  
Justice of Peace, Sukkur