Form No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

Writ Petition No.2305-Q /2019

Syed Arif Hussain Shah
Vs
The State and 3 others

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	11.03.2021	Mr. Imran Abbasi, Advocate for the petitioner. Mr. Awais Haider Malik, State Counsel. Shah Nawaz, S.I.

The petitioner seeks quashing of FIR No.160 dated 09.05.2019 under Sections 186, 188, 353 PPC Police Station, Kohsar, Islamabad.

2. At the very outset, it was inquired from the Investigating Officer as to the status of the investigation and he apprised the Court that report under Section 173 Cr.P.C. has been filed before the Court of competent jurisdiction. When confronted, learned counsel for the petitioner conceded the position. Since the challan/ report under Section 173 Cr.P.C. has been filed the petitioner has alternate and adequate remedy by way of moving appropriate application for discharge/ acquittal of the petitioner in light of the judgments of the Hon'ble Supreme Court of

Pakistan reported as ***Muhammad Abbasi v. SHO Bahakahu etc.*** **(PLD 2010 SC 969) and** ***Director General Anti-Corruption, Lahore etc. v. Muhammad Akram Khan*** **(PLD 2013 SC 401).**

3. In view of the above position of law and facts, the instant petition is dismissed. However, learned Trial Court is directed to conclude the trial expeditiously.

(AAMER FAROOQ)
JUDGE

M.Naveed