ORDER SHEET

ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

W.P. No. 2473 of 2025

Mst. Nighat Bibi

Vs.

The learned ASJ/Ex-Officio Justice of Peace (West), Islamambad, etc.

&

W.P. No. 2474 of 2025

Mst. Zuhra Bibi

Vs.

Learned ASJ/Ex-Officio Justice of Peace (West), Islamabad, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	29.07.2025.	Mr. Usman Ali Chaudhry, Advocate for the petitioner Ch. Zulqarnain, State Counsel with Zafar Ali, S.I. Kaleem ASI.

MUHAMMAD ASIF, J. Through this single order, I intend to decide both the titled petitions as they are interlinked.

2. The instant writ petitions are filed aginst the order dated 31.05.2025 (**"Impugned Order"**) passed by the leaned Additional Distrcit and Sessions Judge Islamabad-West (**"Respondent No. 1"**), whereby applications for registration of FIR filed by the petitioners were dismissed.

3. The learned counsel for the petitioner argued that the Impugned order passed by the Respondent No. 1 is result of misreading and non-reading of material

available on record; that the contents of the application filed by the petitioner clearly indicate that the cognizable offence has been committed against the purposed accused persons, and in such type of cases the police is duty bound to register the FIR against the culprits; that Police Rules, 1934, develops a mechanism qua information, regarding commission of a cognizable offence, which is suspected; that it is settled law that if an offence is found to be cognizable on bare reading of a complaint, the Police has no justification to refuse registration of FIR; that despite all efforts, the respondents refused to ledge the FIR against the culprits under the relevant provision of law, without any reason and lawful justification, therefore, the petition for registration of FIR may be allowed.

4. The learned State counsel repelled the above submissions and argued that the Order impugned passed by the Respondent No. 1 is well-reasoned, and the Superintendent of Police (Complaints), Islamabad, has also submitted his report in the instant matter. As per the report, no cognizable offence has been made out, therefore, the petition is liable to be dismissed.

5. Arguments heard, record perused.

6. Perusal of the record reveals that the Petitioner initially submitted an application for registration of an FIR before Respondents No. 2, however, the said request was declined. Thereafter, the Petitioner approached Respondent No. 1 by filing an application under Sections 22-A and 22-B, Cr.P.C., seeking direction for registration of an FIR. In response thereto,

Respondent No. 1 passed an order with the following observations:-

> "6. There is no denial of the fact that the aforementioned criminal cases have been registered against mother in-law, father in-law, brother in-law and husband of the petitioner and all the cases have been registered in the offences of CNSA. There is no evidence in the form of video or pictures on record to support the claim of petitioner regarding the allegation of committing house tress pass and breaking house hold articles or taking away the house hold articles with them by the police.
> 7. Although the Ex-Officio Justice of Peace is not bound to seek report from the police at every cost and he is fully competent to decide application and passed an order even without any report by the police. However, when report is called, to know the truth and real facts, then the same should not be ignored. The report of police cannot be ordinarily brushed aside without assigning any reason. Reliance is placed on 2014 P.Cr.L.J, 1146 Lahore and 2017 P.Cr.L.J Note 9 Lahore. Record shows that the allegation made by the petitioner are not true as per comments submitted by SSP Complaint Islamabad, and this court has no reason to disbelieve the same.
> 8. In view of the above, the petition has no legal force and the same is hereby dismissed."

7. During the proceedings before the Respondent No.1, on the application filed by the Petitioner under Sections 22-A and 22-B Cr.P.C, the Respondent No. 1 sought a report from the concerned Superintendent of Police. The said report stated that on 06.04.2025, Sub-Inspector Ameer Ali conducted a raid in the area of Shah Allah Ditta and arrested one Noreen Bibi, from whose possession 1810 grams of heroin was recovered. During the course of arrest, accomplices of the said Noreen Bibi offered resistance to the police party and caused injuries to Constable Hasham Ali. Wherein, FIR No. 149/2025 was registered at Police Station Golra Sharif under Sections 9(c) of CNSA, 1997, and Sections 353, 186, and 382 PPC. The son of Noreen Bibi is also

involved in narcotics-related offences, and that the entire family is engaged in the illicit trade of narcotic substances. Furthermore, it has been reported that the family habitually manipulates women to lodge false FIRs against police officials as a means to exert undue pressure upon the police, therefore, no cognizable offence has been made out from the contents of the present application.

8. It is a matter of record that the petitioner, in her application, narrated an alleged incident wherein various allegations were levelled against police officials. However, the petitioner neither contacted the 15 police at the relevant time, nor was the presence of any independent witness substantiated. Furthermore, upon perusal of the entire documentary record, no credible material has been found to support the petitioner's version.

9. In view of the foregoing, no illegality or irregularity has been found in the Impugned Order. Resultantly, the instant petition alongwith connected writ petition No. 2474 of 2025, stand **dismissed**.

(MUHAMMAD ASIF)
JUDGE

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