

IN THE COURT OF DISTRICT AND SESSION JUDGE (WEST) AT KARACHI

CR. MISC. APPLIATION NO.

/2019

MR. XXXXX S/O XXXXXXXX

Muslim, Adult, holding CNIC No. 42301-6777549-9

House No. R-333, Sector C-8, Jacob line

Saddar, Karachi.....

Applicant

Versus

1. Senior Superintendent of Police

P.S Surjani Town, District West

Karachi.

2. Station House Officer

P.S Surjani Town, District West

Karachi.

3. The 5 Unknown People.....

Respondents

APPLICATION U/S 22-A(vi)(iii) CR.P.C

That the Applicant above named respectfully begs to submit as under:-

1. That the Applicant is a law abiding and peace loving citizen of Pakistan, and residing at the above mentioned address.
2. That the Applicant has possession of another home situated at Plot No.4414, Hassan Brohi Village, Model Town, District West, Karachi.

**(The copy of the property documents are attached herewith as
Annexure "A to A6")**

3. That on 2-07-2019 the Applicant went to look after his said house. The Respondent No. 3/five unknown persons who are the goons, trespass the house forcefully, threatened the Applicant with guns and harassed him to leave the house.
4. That the Respondent No. 3/five Unknown persons (goons) threatened the Applicant with guns and harassed him to leave the house, they threatened him to see the dire consequences if the Applicant failed to do so. They also threatened the Applicant to kill him if the Applicant did not follow the orders made by the Respondents No. 3/five unknown persons.
5. That on 3-07-2019 Respondent No. 3/five Unknown persons again forcefully entered into the Applicant house situated at Plot No.4414, Hassan Brohi Village, Model Town, District West, Karachi. By using their leverage they started harassing him to leave the house, on resistance the Respondent No. 3/five unknown

persons(goons) thrashed the Applicant with heavy sticks (danda's) which caused him hidden injuries.

6. That the Applicant has grave apprehension and likelihood that Respondent No. 3/five Unknown persons (goons) may seriously harm safety, security and life of the Applicant and his family. The Applicant and his family are facing hardships and mental agonies due to the situation created by the Respondent No. 3/unknown persons (goons).
7. That the Applicant is also feared that the Respondent No. 3/five Unknown persons(goons) may kidnap his family and they may dispossessed the Applicant from his property situated at house Plot No.1141, Hassan Brohi Village, Model Town, District West, Karachi
8. That in the circumstances the Applicant moved the Application on 5-07-2019 to the Respondent No. 1 to 2 to provide him an appropriate protection against the aggressive and criminal conducts of the said unknown persons (goons) at his property which is within the jurisdiction of the same Respondents.

(The copy of Application dated 5-07-2019 is attached herewith as Annexure B-B1)

9. That the Respondent No. 1 to 2 has neglected prayer made by Applicant and avoided to perform their duty and did not pay any heed towards the Applicant's requests and Application, hence being aggrieved by the conduct of neglecting, failure in performance of the duties by the Respondent No. 1 and 2, the Applicant has been left no option except to approach this Hon'ble Court for the remedy sought in the complaints application i-e annexure B - B1, hence this Application.

PRAYER

In the light of above mentioned facts and circumstances, it is most respectfully prayed on behalf of the Applicant that this Hon'ble Court may graciously be pleased to direct the Respondent No. 1 and 2 and pass the order as under:

- a) To direct the Respondent No. 1 and 2 to provide the intense protection to the Applicant and his family and to take necessary action so the Respondent No. 3/the five unknown person may not caused harm to life and safety of the Applicant and his family.

- b) To direct the Respondent No. 1 and 2 to secure Applicant's property situated at house Plot No.11411, Hassan Brohi Village, Model Town, District West, Karachi so the Respondent No. 3/the five unknown person may not harm and dispossessed them.

- c) To direct the Respondent No. 1 and 2 to take strong action and lodge F.I.R against the said unknown persons and arrest them for the sake of safety and security of individuals of the society, hence they may restrain from illegally and unlawfully harassing/pressurizing and threatening people with dire consequences and to make such conducts in future

Any other or further relief(s) which this Hon'ble Court may deems fit and proper may pleased be granted.

Karachi;

Dated: -07-2019

Applicant

Advocate for the Applicant

IN THE COURT OF DISTRICT AND SESSION JUDGE (WEST) AT KARACHI

CR. MISC. APPLIATION NO.

/2019

Shabir Ahmed.....

Applicant

VERSUS

Senior Superintendent of Police & Others.....

Respondents

AFFIDAVIT

I, XXXX S/O XXXXX, Muslim, Adult, holding CNIC No. 42301-8998421-9, House No. R-321, Sector R-2, Jacob line Saddar, Karachi do hereby state make oath and state on solemn affirmation as follows:-

1. I say that I am the Applicant/Petitioner in the above Application and as such I am well conversant with the facts of the case.
2. I say that the accompanying Application under Section 22-A (vi)(iii) CR.PC has been drafted and filed under my specific instructions and for the sake of brevity I crave leave of this Hon'ble Court to adopt the contents of the same which may please be treated as an integral part of this affidavit.
3. I say that the Respondent NO. 3/ 5 unknown persons are the goons of the vicinity and the Applicants have grave apprehension

that the said persons may cause him great loss in terms of his property.

4. I say that the Respondent NO. 3/ 5 unknown persons are threatening the Applicant to leave the possession of his house and harassing him to face the dire consequences if he fails to do so.
5. I say that the Applicant apprised the Respondent No. 2 to 3 about the consistent threats extended by the Respondents/unknown persons however they have failed to take any action and provide necessary protection to the Applicant and his family.
6. I say that unless my accompanying Application is granted I will be seriously prejudiced and suffer irreparable loss and injury.
7. That whatever has been stated hereinabove is true and correct to the best of my knowledge and belief.

Karachi;

D E P O N E N T

Dated: -07-2019.

The deponent above-named is identified by me to the Commissioner for taking affidavits.

A D V O C A T E

Solemnly affirmed on oath before me at Karachi on this the day of July 2019, by the deponent above-named, who is identified to me by XXXXXX, Advocate, who is personally known to me.

COMMISSIONER FOR TAKING AFFIDAVITS