

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No.D-5297 of 2023

Date	Order With Signature Of Judge
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1. For orders on CMA No.11741/2026. (Urgency)
2. For orders on CMA No.6718/2024. (Surety)

19.05.2026

Mr. Altaf Hussain Shaikh, advocate for the petitioner.

- 1) Urgency granted.
- 2) The petition was earlier disposed of vide order dated 30.11.2023.

Learned counsel for the applicant submitted that pursuant to the said order, the applicant furnished surety on behalf of the petitioner by depositing certificates amounting to Rs. 50,000/- before the Nazir of this Court. It was further submitted that the petitioner has since surrendered before the learned trial Court and is presently facing trial; therefore, the surety deposited before this Court is no longer required.

In the facts and circumstances of the case, prima facie, the petitioner has complied with the directions contained in the order dated 30.11.2023 by surrendering before the learned trial Court and submitting himself to its jurisdiction. Consequently, the purpose for which the surety was furnished before this Court stood fully accomplished.

Since the petitioner is now regularly appearing before the competent trial Court and the criminal proceedings are pending there, the surety deposited before this Court no longer serves any legal or procedural purpose. Moreover, there is nothing on record to suggest any breach of the terms of the surety bond or misuse of the concession granted by this Court. Therefore, continuation or retention of the surety documents would be unwarranted and without lawful justification.

Accordingly, the liability of the applicant/surety stands discharged, and the applicant is legally entitled to the return of the certificates deposited before the Nazir. The Nazir was, therefore, rightly directed to release and return the surety documents to the applicant after proper verification and identification in accordance with the prescribed rules and procedure.

The listed application stands disposed of in the above terms.

JUDGE

JUDGE