

**ORDER SHEET**  
**THE COURT OF SINDH BENCH AT SUKKUR**

C.P.No.D-1499 of 2013

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1. For orders on CMA-4477/2013
2. For orders on CMA-4478/2013
3. For Katcha Peshi
4. For orders on CMA-4479/2013

16.05.2013

Mr. Zulfiqar Ali Naich for the petitioner.

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Through this petition, petitioner seeks the following relief (s):

- a) To declare that the Voluntarily Return Option before NAB Authorities was not voluntary but the same is the result of force, duress, harassment caused by the NAB Authorities hence the same Option is of no legal effect.
- b) To restrain the respondent No.4 and 5 from causing any harassment to the petitioner and the respondent No.5 may further be directed to supply all the documents against the petitioner and he may be given full opportunity of full defence along with assistance of a counsel as even during enquiry harassment of high level is caused to the petitioner.
- c) To grant any other relief which deems fit and proper under the circumstances of the case.

From the pleadings it appears that petitioner is serving as Food Supervisor and presently he is posted as Incharge, Provincial Reserve Centre (PRC), Daharki, District Ghotki. The case of the petitioner is that on 08.05.2013 he was called by NAB Authorities in respect of certain allegations of corruption and corrupt practices in respect of wheat stock whereby he was compelled to make request for acceptance of voluntarily return/plea-bargain.

It is, inter alia, contended that application dated 08.05.2013 is neither voluntary nor carries any weight in the eyes of

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law, as such, same may be declared null, void and of no-legal consequences.

We have heard learned counsel for the petitioner and scanned the memo of petition as well as documents annexed therewith.

From perusal of application for voluntary return under section 25 (a) of NAB Ordinance, 1999, which is available at page 23 of file, it appears that petitioner has made such application on his own accord wherein he has stated that he with his free consent and without any coercion, duress or under influence voluntarily came forward and admitted that he is in possession of assets or gains acquired or made by him in the course or as consequence of offence under NAB Ordinance. He further stated that he is ready to deposit the amount determined by DG, NAB in terms of above application.

Since the petitioner voluntarily made such request before the NAB Authorities, his liability or involvement in the alleged offence will be determined by the concerned authorities and such exercise cannot be undertaken in these proceedings, therefore, we find no force in the instant petition which is dismissed in limine along with the listed applications.

JUDGE

JUDGE

N.M.