

Order Sheet
IN THE HIGH COURT OF SINDH KARACHI
CP No.S- 991 of 2025

Date	Order with signature(s) of Judge(s)
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For hearing of CMA No.8501/2025

10.12.2025

M/s. Muhammad Daud Narejo and Muhammad Yousuf Narejo, advocates for the petitioners

Ms. Rahat Ehsan, DPG

Mr. Irshad Ahmed Shaikh, AAG

Sain Bux SHO Jhirk, Jabbar Leghari Incharge CIA and PI Athar Channa, SIP Syed Ahsan Ali, PI Riaz Hussain District Central Karachi, PI Habibullah PS Steel Town, SI M. Tariq PS KIA and SI Sultan Qureshi PS Bin Qasim

Mr. Arfat Hussain Qureshi, advocate files power on behalf of alleged contmnors No.1 to 4, which is taken on record.

Since alleged contemnor No.3, 4 & 5 Jabbar Leghari, Athar Channa and Ghulam Hyder Janwari, were not parties to the earlier proceedings, therefore, they cannot be arrayed as contemnors in the contempt application. The contempt application to their extent is dismissed with cost of Rs.5,000/- to be paid to them by the petitioners.

It is alleged in the contempt application that Suzuki bearing registration No.LA-2690 white in color with material viz. 18 sacks were also seized by the police. Under the Narcotics laws, the police is competent to seize the conveyance in which contra-band material is transported. However, if anything other than the conveyance is in the possession of the police, the petitioner shall be at liberty to file an application under Section 516 Cr.P.C. before the Court where the matter is pending adjudication. In case, such an application is filed before the learned trial Court, it shall decide the application within one month.

As far as the grievance against alleged contemnor No. 2, Sain Bux Bakhrani, is concerned, it appears that FIR No. 92/2025 was registered at PS Jhirk against one Haji, son of Bhutto Khaskheli, who was allegedly found in possession of Mawa and Gutka containing 300 narcotics sachets. The name of Ashique alias Aashi, son of Ghulam Mustafa Qureshi, was implicated in the said FIR on the basis of the statement of a co-accused. The implication of Ashique alias Aashi in the FIR appears to be doubtful and supports the contention of the petitioners that they are being victimized.

Under such circumstances, SSP Thatta is directed to conduct inquiry into the matter against the complainant of the FIR No.92/2025 recorded at PS Jhirk wherein the name of the petitioner No.2 Ashique Ali has been shown on the basis of the statement of co-accused. The inquiry shall be conducted within one month of the date of this order and compliance report shall be submitted before this Court through MIT-II of this Court.

Since FIR has already been recorded against petitioner No.2 Ashique Ali, wherein alleged contemnor Sain Bux is Station House Officer, therefore, no case for initiation of the contempt proceedings is made out against him. The contempt application is ***dismissed*** with not of caution that no harassment would be caused to the petitioners in any manner and disturbance in their lawful business. In case the petitioners fail to deposit the cost imposed upon them, CNICs of the petitioners shall be blocked.

JUDGE

Nadir*