

IN THE HIGH COURT OF SINDH, KARACHI
Cr. Appeal No.361 of 2024

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Syed Fiaz ul Hassan Shah

Appellant:- Nazli Rafat Jamal through Mr. Sohail Hameed,
Advocate.

Respondent:- The State & 04 others
through Mr. Mohsin Ali Khan, Special Prosecutor ANF.

Date of hearing:- 19.02.2026

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MUHAMMAD IQBAL KALHORO J: Appellant claims to be owner of Property No.58/1, Khayaban-e-Hafiz, Phase-V, DHA Karachi which came under investigation in Crime No.4/1999, under section 9(C) CNS Act, 1997, registered by then P.S. ANF-II, Karachi with allegation to have been earned from narcotics income by the accused namely Asif Ali Shah the original owner, who was challaned in aforesaid case and whose family meanwhile had sold out the said property to appellant.

2. After freezing of the property, application under section 37 of CNS Act was filed by ANF for confirmation of freezing order but that application was dismissed and freezing of the property was not confirmed. This application was filed before setting aside of the freezing order by ANF and since has become infructuous on account of the fact that application has already been dismissed.

3. Learned counsel for appellant submits that still the appellant is facing hardship in transferring/selling out the said property to a third party.

4. Since the freezing order by ANF could not sustain in the Court and was turned over by the trial Court and which fact has been confirmed by ANF Prosecutor, we are of the view that there should be no impediment legal or otherwise in the way of appellant to either sell out or transfer the said property to any third party.

With these observations, this appeal is accordingly disposed of with consent along with pending application.

JUDGE

