

ORDER SHEET  
THE HIGH COURT OF SINDH AT KARACHI

Cr. Rev. Appln No.68 of 2026

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Date:           Order with signature(s) of the Judge(s)  
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For Hearing of Case.

04<sup>th</sup> May, 2026.

Mr. Ahmed Hussain Jokhio advocate for the applicant.

Ms. Seema Zaidi, Addl. P. G. Sindh.

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Through the instant Criminal Revision Application, the applicant has assailed the order dated 16.03.2026 passed by the learned Sessions Judge, Thatta, in Criminal Miscellaneous Application No. 09/2026, whereby the application filed by the applicant under Section 516-A Cr.P.C. for release of Truck bearing Registration No. JT-0843, Engine No. 722612, Chassis No. CJQ3B20/600928, Model 1975 (Maker: Bedford) captive in FIR No.292/2025, under Section 279/320/427 PPC registered at PS Makli was declined.

Learned counsel for the applicant submits that the applicant purchased the said truck from one Ghulam Shakir on 05.11.2025 through a sale agreement (Annexure P/10 at page 51), and since then the same is in his lawful ownership and possession. He further contends that there is no other claimant to the said truck. It is also argued that the truck is lying at the police station in the open sky without proper care and maintenance, and is likely to deteriorate; therefore, the same may be released to the applicant on superdari. The applicant undertakes to furnish solvent surety and is also willing to deposit original documents of the vehicle before the learned trial Court. It is further submitted that Ghulam Shakir is present in Court and has filed his affidavit, which is taken on record, wherein he has categorically stated that he has no objection if the custody of the truck is handed over to the applicant.

Learned Additional Prosecutor General, Sindh, has raised no objection to the grant of the instant application in view of no objection extended by previous owner in favor of the applicant.

Heard and perused record.

A plain reading of Section 516-A Cr.P.C. reveals that it empowers the Court to make appropriate orders regarding interim custody of case property pending trial, particularly to prevent its deterioration or misuse. It is a settled principle that vehicles should not be allowed to remain parked at police stations for an indefinite period, as the same are exposed to damage and depreciation.

In the present case, the applicant has prima facie established his claim of lawful ownership/possession through the sale agreement, which is further corroborated by the statement and affidavit of the previous owner Ghulam Shakir, who is present in Court and reiterates that he has no objection to the release of the subject truck in favour of the applicant. There appears to be no rival claim or legal impediment on record.

In view of the above, the impugned order dated 16.03.2026 passed by the learned Sessions Judge, Thatta, is not sustainable in law and is hereby set-aside. Consequently, the instant Criminal Revision Application is allowed and the Truck i.e. Truck bearing Registration No.JT-0843, Engine No.722612, Chassis No.CJQ3B20/600928, Model 1975 Maker Bedford Truck, is ordered to be released on superdari to the applicant forthwith subject to furnishing solvent surety in the sum of Rs.10,00,000/- [Rupees Ten Lac only] and P.R bond in the like amount to the satisfaction of learned trial Court; and, original papers of the Truck shall also be deposited with the trial Court as security till final disposal of the subject case arising out of FIR No. 292 of 2025 registered for the offense under Section 279/320/427 PPC of P.S Makli. Once the surety is submitted, the learned trial court is directed to issue the releasing order of the vehicle. The applicant is directed to produce the vehicle as and when required by learned trial court.

The instant Civil Revision Application stands disposed of in the above terms.

JUDGE