

IN THE HIGH COURT OF SINDH AT KARACHI

**SPL. CR. BAIL APPLICATION NO. 341 OF 2025**  
**SPL. CR. BAIL APPLICATION NO. 350 OF 2025**

Applicant *in B.A* : Muhammad Siddiq through Mr.  
*No.341 of 2025* Kausar Ali Shar, advocate

Applicants *in B.A* : Muhammad Shaheen Khan and  
*No.350 of 2025* Muhammad Farooq through Mr.  
Muhammad Farooq, advocate

Respondent : The State through Haad Abid,  
Special Public Prosecutor Customs

Date of Hearing : 14.04.2026

Date of order : 18.05.2026

**ORDER**

**Omar Sial, J.** The Applicants namely, Muhammad Shaheen Khan, Muhammad Farooq and Muhammad Siddiq have sought post arrest bail in Crime No. 02/2024-25 dated 24.01.2025 registered by Appraising Officer, Collectorate of Customs (Exports), PMBQ, Karachi, under sections 15, 16, 32, 32(1) and 131 of the Customs Act, 1969 read with Arms Act, 1878 as envisaged vide clause 15(b) of Export Policy Order, 2022 and further read with Sr. No. 11 of Schedule II of Export Policy Order, 2022 punishable under sub section 9, 14 & 66 of Section 156 of the Customs Act, 1969. Earlier their request for bail was dismissed via Order dated 24.11.2025 by the Special Judge (Customs, Taxation & Anti-Smuggling-I), Karachi.

2. The facts as narrated in the FIR are that GD bearing No. KPPE-SB-168765 dated 19.01.2025 was said to contain 2060 ceiling fans destined for Salalah, Oman and was filed by Fate Enterprises through their clearing agent M/s Brisking Enterprises. The said consignment comprising of one 40 feet container bearing No. TCNU2569244 was marked to the Red Channel on 20.01.2025 for physical examination by the automated Risk Management System (RMS) in Weboc. The

same day it was opened for physical examination but while the process was about to initiate the Anti-Narcotics Force put a hold on the consignment. Though no narcotics were recovered from the consignment 1464 pistols (30 Bore, 9 MM) were recovered which had been tactfully concealed within the cavity of ceiling fan plastic base packed in cartons. These were recovered from a cavity of a total of 2060 units of fan after breaking plastic base/casing with the hammer as the same were tightly sealed.

3. I have heard the learned counsel for the applicants as well as the learned Special Public Prosecutor Customs. My observations and findings are as follows.

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4. Both Muhammad Shaheen (SK Arms) and Muhammad Farooq were nominated accused in the third supplementary challan on the basis of the 164 Cr.PC statement of another co-accused, Muhammad Siddique. Both Shaheen and Farooq are licensed arm dealers and have been accused by Siddique of having selling the arms. The challan, on the basis of the statement of Muhammad Siddique also alleges that Muhammad Farooq assisted with the concealment of the guns in the fans consignment. However, a perusal of the section 164 Cr.PC statement reveals that there is an ambiguity in this regard. Even otherwise, the statement of a co-accused against other co-accused(s) prima facie may not have any evidentiary value at this stage.

5. Not only that, other similarly placed arms dealers (Faiz Ameen, Naveed Khan), nominated as accused(s) in this case but also the owners/proprietors of the consignment (Rozina), the main accused(s) (Abdullah) and the clearing agents (Zahid, Aamir Waheed and Muhammad Bilal) have been granted bail and therefore, the rule of consistency applies to the case of Muhammad Shaheen and Muhammad Farooq.

6. Accordingly, both stand admitted to bail against a sum of Rs.500,000/- (Five Hundred Thousand Only) each and a PR Bond in the like amount to the satisfaction of the court.

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7. In view of the Section 164 Cr.PC statement given by Siddique, which has not been denied by the learned counsel, his bail application is dismissed.

**JUDGE**