

IN THE HIGH COURT OF SINDH AT KARACHI

Present:

Mr. Justice Muhammad Faisal Kamal Alam
Mr. Justice Amjad Ali Sahito

Criminal Bail Application No.1349 of 2026

Applicant : Hameedullah S/o Shujaatullah
through Mr. Muneer Ahmed Gilal,
Advocate

Respondent : The State
through Mr. Habib Ahmed, Special
Prosecutor ANF, Mr. Musharraf Azhar,
Special Prosecutor ANF, Brigadier
Muhammad Umar Farooq, Regional
Director ANF a/w Ms. Salma Khan,
Assistant Director ANF

Date of hearing : 09.07.2026

Date of order : ____ .07.2026

ORDER

AMJAD ALI SAHITO, J -- Through this Bail Application, applicant/accused seeks post-arrest bail in Crime No.93/2025 registered under Section 6, 9(2) Sr. No.9, 14 & 15 of the CNS Act, 1997 of PS ANF-II, Korangi, Karachi, after his bail plea has been declined by the learned Judge, Special Court-III, (C.N.S.) Karachi vide order dated 16.04.2026.

2. The detailed facts of the case are already available in the bail application as well as FIR, therefore, the same need not to be reproduced hereunder.

3. Learned counsel for the applicant primarily contended that the applicant is innocent and has been falsely implicated in the present case. He argued that although the prosecution claims to have received prior information and apprehended

the applicant at the premises of SKYNET Cargo, but surprisingly it failed to associate any independent person as a mashir. According to the prosecution, even the employees of SKYNET Cargo declined to act as mashirs, and no effort was made to secure any other independent witness from the locality, thereby casting serious doubt on the fairness and transparency of the alleged recovery proceedings. He further argued that the prosecution story, as narrated in the FIR, appears to be fabricated and concocted, as it is highly improbable that the applicant and his co-accused would remain at the courier office in possession of approximately 29 kilograms of narcotics until the arrival of the ANF officials, who then apprehended them. He further contended that the investigation has already been completed, the applicant has remained behind bars for more than six months, and is no longer required for any further investigation. On these premises, he prayed for the grant of post-arrest bail to the applicant.

4. Conversely, learned Special Prosecutor ANF vehemently opposed the grant of bail and contended that a huge quantity of Methamphetamine was recovered from the applicant / accused and that the offence carries a maximum punishment of imprisonment for life; as such, he prayed that the bail application of the applicant be dismissed.

5. We have heard the learned counsel for the parties at considerable length and have carefully examined the material available on the record.

6. A perusal of the record reveals that on **13.12.2025**, at about **1100 hours**, the complainant, Inspector Amir Hussain of Police Station MACHS, ANF Korangi, Karachi, received information through his superior officers from the SKYNET Cargo Office, Gulistan-e-Johar, that three persons had brought a

suspicious consignment for booking to Australia and requested that the same be subjected to police scrutiny. Acting upon the said information, the complainant, along with a raiding party, proceeded to the SKYNET Cargo Office and reached there at about 1200 hours, where three persons were found sitting alongside 25 parcels/bundles. They were apprehended and disclosed their identities as **(i) Hameedullah son of Shujaat, (ii) Muhammad Husni son of Mira Jan, and (iii) Abdul Haleem son of Wali Darban.**

7. Upon inspection of two randomly selected bundles from the consignment allegedly brought by the accused persons, Bundle No.1 was found to contain one woollen carpet and two ladies' handbags, wherein **Methamphetamine (ICE)** had allegedly been skillfully concealed, weighing **10 kilograms** (gross). Bundle No.2 was found to contain 24 curtains, and upon examination, Methamphetamine was allegedly concealed within the rings affixed thereto. After removal of the rings, the recovered contraband weighed **29 kilograms** (gross). The recovered narcotic substance was sealed and secured in accordance with law for chemical examination, whereas the remaining curtains were separately sealed and taken into possession as case property.

8. Thereafter, the personal search of the accused persons was conducted, whereby a cash amount of **Rs.5,600/-** and one iPhone were recovered from accused Hameedullah; **Rs.3,500/-** and one Android mobile phone were recovered from accused Muhammad Husni; while one mobile phone, one Computerized National Identity Card (CNIC), and two ATM cards were recovered from accused Abdul Haleem. The rickshaw in which the accused persons

had allegedly arrived was also searched; however, no incriminating article was recovered therefrom.

9. It is further alleged that during the recovery proceedings, the present applicant/accused, Hameedullah, disclosed before the complainant that the aforesaid consignment had been sent to him by his friend, Hamayun, from Afghanistan for onward dispatch to Australia, and that he had arrived at the cargo office along with his two co-accused for the purpose of booking the said shipment. On the basis of the foregoing allegations, the prosecution asserts that the present applicant is directly connected with the commission of the alleged offence.

10. The Regional Director, ANF Karachi, who is present before this Court in connection with certain other matters, was confronted regarding the non-examination of the prosecution witnesses in the instant case during the preceding seven months. In response, he submitted that all prosecution witnesses shall positively remain in attendance on the next date of hearing and requested that appropriate directions be issued to the learned trial Court to record their evidence, as the said witnesses are required to travel from different provinces for the purpose of their deposition.

11. Furthermore, the prosecution case reflects that **39 kilograms of Methamphetamine (ICE)** were allegedly recovered from the possession of the applicants/accused. The samples of the recovered contraband were duly dispatched to the office of the Chemical Examiner, and the report received therefrom confirms the substance to be Methamphetamine. Learned counsel for the applicant has failed to point

out any material available on the record suggesting that the complainant or any member of the raiding party was actuated by enmity, mala fide, or any ulterior motive to falsely implicate the applicant in the present case. In these circumstances, particularly having regard to the exceptionally huge quantity of narcotic substance allegedly recovered from the possession of the applicant, this Court is of the tentative view that the applicant is not entitled to the concession of bail. Reliance in this regard is placed upon the judgment of the Hon'ble Supreme Court of Pakistan in **Dolat Khan v. The State and others (2016 SCMR 1447)**.

12. Moreover, the alleged offence is punishable with imprisonment for life and, therefore, squarely falls within the prohibitory clause of Section 497 of the Code of Criminal Procedure, 1898.

13. In view of the foregoing discussion, this Court is of the considered opinion that the learned counsel for the applicant has failed to make out a case warranting the grant of bail under subsection (2) of Section 497, Cr.P.C. Consequently, the instant bail application is hereby **dismissed**.

14. The Regional Director, ANF Karachi, is directed to ensure the attendance of all relevant prosecution witnesses before the learned trial Court on the date fixed. Upon their production, the learned trial Court shall record their evidence without unnecessary delay and thereafter proceed with the trial on a day-to-day basis. No adjournment shall be granted to either party except for exceptional and unavoidable reasons. The learned trial Court is further directed to conclude the trial expeditiously and decide the same, preferably

within a period of **fifty (50) days**, strictly in accordance with law.

15. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned Trial Court while deciding the case of the applicant on merits.

JUDGE

JUDGE

Kamran/PS