

IN THE HIGH COURT OF SINDH, KARACHI

Cr. Misc. Application No.830 of 2025

Present:

Mr. Justice Muhammad Iqbal Kalhoro

Mr. Justice Khalid Hussain Shahani

Applicant:- State/Anti-Narcotics Force through
Mr. Musharraf Azhar, Special Prosecutor, ANF.

Respondent:- Saifu Rehman through Dr. Imran Mehmood,
advocate.

Date of hearing:- 21.09.2026

O R D E R

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MUHAMMAD IQBAL KALHORO J: This application has been filed by Anti-Narcotics Force against an order dated 06.05.2025 passed by learned Special Court-II (CNS), Karachi granting pre-arrest bail to respondent in Crime No.14/2025, u/s9(2), 9, 14/15 of CNS Act, 2022, registered at PS ANF Clifton, Karachi. It is alleged in FIR that 460 Kg of Ketamine Hydrochloride from a container available at SAPT (South Asia Pakistan Terminal) was recovered. Subsequently, in the Chemical Examination the same substance was determined to be as ice and is so reported in the Lab report.

2. The impugned order shows that respondent was extended concession of pre-arrest bail on the ground that ANF had failed to even submit the interim challan despite FIR was registered on 15.03.2025. The case of the ANF is that applicant is the owner of relevant pharmaceutical company, which had imported the consignment from Germany. Sufficient evidence has come on record to show his involvement.

3. However, such allegation has been totally denied by respondent's counsel and he has argued that the case against the respondent is suspicious for want of required evidence.

4. Be that as it may, since in the impugned order the merits of the case have not been discussed even tentatively. Nor the trial Court was aware of subsequent developments whereby the nature of the substance had undergone a change and it was declared as ice. The trial Court has not even discussed the prosecution evidence, or the defence of respondent argued before us. More so, the basic principles of pre-arrest bail have not been discussed while granting bail to the respondent. Hence, we are of the view that the impugned order is sketchy and not sustainable. However, since a long time has passed after this order was passed viz. 06.05.2025, instead of cancelling the bail of the respondent, we grant him protective bail for two weeks from today subject to execution of his personal bond in the sum of Rs.100,000/- and refer the matter back to the trial Court to decide the application of the respondent u/s 498 CrPC on merits afresh in accordance with the principles set down by Supreme Court time and again on the point.

The Cr. Misc. Application is accordingly disposed of.

JUDGE

JUDGE

HANIF