

IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail Application No.2460 of 2026

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Khalid Hussain Shahani

Applicants:- Ahsan Fareed and another through
M/s. Zakaullah Teepu Rana and
Shahjahan, advocates.

Respondent:- The State through Mr. Mumtaz Ali Shah, Additional
Prosecutor General a/w IO/SIP Altaf Hussain Chandio
of PS Steel Town, Karachi.

Date of hearing:- 08.09.2026

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MUHAMMAD IQBAL KALHORO J: A police team of PS Steel Town, District Malir headed by SIP Muhammad Moosa, during patrolling, on spy information, arrested applicants from main National Highway Raveenda Road, Karachi. From applicant Ahsan Fareed police recovered 2.360 Kg of charas and from applicant Gul Hassan 1020 grams of charas was recovered. Hence they were booked and charged in the present case.

2. Applicants' counsel has pleaded bail for them on the ground that before registration of the case against the applicants, habeas corpus petitions on their behalf were filed against their illegal detention at Thatta. In response, in the case of Gul Hassan, a Civil Judge conducted raid at PS Mirpur Sakro and found applicant Gul Hassan illegally detained there without any entry or FIR registered against him. This raid was conducted on 20.05.2026 by Magistrate, and he released applicant Gul Hassan against a personal bond. Consequently Additional Sessions Judge, Thatta vide order dated 21.05.2026 directed registration of FIR against SHO PS Mirpur Sakro for such negligence.

3. In the case of applicant Ahsan Fareed, however, in the raid conducted on 22.05.2026, the date of FIR, he was not found and

subsequently shown arrested in present FIR. He has further argued that the property was sent with the delay of three days to the Chemical Examiner for a lab report. Hence, *prima facie* the safe custody is not established. Learned counsel has relied upon 2025 YLR 1355 to support his contentions.

4. On the other hand, learned APG has opposed bail.

5. The IO present does not seem to be even aware of the facts of the habeas corpus petitions filed on behalf of the applicants and raid conducted by the Civil Judge finding applicant Gul Hassan illegally detained at police station. He seems to have simply acted upon information told to him by the complainant and the witnesses, and on his own, he has not made any effort to dig out the actual facts in the case. The fact of illegal detention of applicant Gul Hassan verified by Civil Judge in the raid and registration of a case for that against the SHO PS Mirpur Sakro a day before the current FIR *prima facie* induces a probability of his false implication. Registration of a case as a result of revenge by the police against the people for reporting against them in the Courts for their illegal actions is widespread in our society. A habeas corpus petition filed on behalf of applicant Ahsan Fareed on the very date of FIR also indicates that something is off in the case, which is further evident from the incompetence of IO, who has not even tried to look into such aspects and dig out the truth.

6. We, therefore, find the case of the applicants to be a further inquiry, grant them bail subject to furnishing a solvent surety in the sum of Rs.2,00,000/- each and PR Bond in the like amount to the satisfaction of the trial Court.

7. However, before parting with this order, we refer the matter of IO present to DIG South, Karachi for conducting an inquiry into the matter, particularly, to ascertain his credentials whether he is fit to be retained as Investigation Officer or not. The DIG shall submit a

compliance report through MIT-II of this Court in one month for a perusal in Chamber.

8. The Cr. Bail Application is disposed of. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

HANIF