ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI.

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Jawad Akbar Sarwana

Cr. Bail Appl No.3496 of 2026
(Farrukh **vs**. The State)

Cr. Bail Appl No.3550 of 2026
(Farhan and another **vs**. The State)

Cr. Bail Appl No.3551 of 2026
(Farhan **vs**. The State)

Date of hearing
& order 03.11.2026

Mr. G.M. Bhutto, advocate for applicants
Mr. Khaleeq Ahmed, DAG a/w Mr. Irshad Ahmed, Assistant Attorney General and SIP Bilal Ahmed, FIA CCC Karachi

O R D E R

Jawad Akbar Sarwana J.: Applicants/accused, namely

(i) Farrukh S/o Faqeer Muhammad in Cr. Bail Appl No.3496 of 2026, in Crime No.19 of 2026 U/Ss 23(1)(a)(vii), 23(1)(a)(x) and 23(1)(i) of the Drugs Act, 1976, punishable U/S 27 of the Drugs Act, 1976/DRAP Act, 2012, of Police Station FIA CCC, Karachi, is seeking pre-arrest bail in the above crime,

and

(ii) Farhan S/o Faqeer Muhammad and Muhammad Siraj Uddin S/o Muhammad Mazharuddin in Cr. Bail Appl No.3550 of 2026 in Crime No.18 of 2026 U/Ss 23(1)(a)(vii), 23(1)(a)(x) and 23(1)(i) of the Drugs Act, 1976, r/w Schedule IIA(1)(a)(vii), IIA(1)(a)(x) and IIA(1)(i) of the DRAP Act, 2012, of Police Station FIA CCC, Karachi, and

(iii) Farhan S/o Faqeer Muhammad in Cr. Bail Appl No.3551 of 2026 in Crime No.19 of 2026 U/Ss 23(1)(a)(vii), 23(1)(a)(x) and 23(1)(i) of the Drugs Act, 1976, punishable U/S 27 of the Drugs Act, 1976/DRAP Act, 2012, of Police Station FIA CCC, Karachi, are seeking post-arrest bail in the above crimes.

Applicant Farrukh in Cr. Bail Appl No.3496 of 2026 is present on ad-interim pre-arrest bail granted to him vide order dated 19.10.2026.

2. We have heard the learned counsel for the applicant/accused and the Deputy Attorney General and have perused the record, and our observations are as herein below.

3. The background of the matter is set out in the FIR, which, for the sake of brevity, is not reproduced and may be read into this paragraph ad seriatim.

4. The prosecution case, as set out in **FIR No. 19 of 2026**, registered at FIA Corporate Crime Circle, Karachi, is that on **28.09.2026**, a joint team of FIA and DRAP officials conducted a raid at **M/s Clifton Medico Pharmacy, Clifton, Karach**i, where applicant Farhan was found present, and a large quantity of allegedly unregistered, unwarranted and suspected spurious medicines was recovered from his possession. The medicines were seized and samples drawn for laboratory analysis. It is alleged that the applicant sold these medicines to customers through the pharmacy owned by his brother, co-accused Farrukh. Following approval from the competent authority, the FIR was registered under the relevant provisions of the Drugs Act, 1976, and the DRAP Act, 2012. The interim challan reiterates the recovery and the applicant's alleged involvement in the sale and purchase of such medicines. It further records that statements of prosecution witnesses under Section 161 Cr.P.C. were recorded and documentary and oral evidence was collected during investigation. As per learned DAG, investigation is still ongoing.

5. We next turn to **FIR No.18/2026** wherein Farukh and Muhammad Siraj Uddin s/o Mohammad Mazhar Uddin, who was the designated “Qualified Person”/Pharmacist, are seeking post-arrest bail. The prosecution case, as set out in FIR No.18 of 2026, registered at FIA Corporate Crime Circle, Karachi, is that on **28.09.2026**, a joint team of FIA and DRAP officials conducted a raid at **M/s Clifton Medico Pharmacy, Khayaban-e-Jami, Phase VII, DHA, Karachi**, where applicants Farhan and Muhammad Sirajuddin were found present, and a large quantity of allegedly unregistered, unwarranted and suspected spurious medicines was recovered. The medicines were seized, and eleven samples were drawn for laboratory analysis. It is alleged that Farhan owned the pharmacy, while Muhammad Sirajuddin managed it, and that both were involved in the sale and purchase of these medicines. Following approval from the competent authority, the FIR was registered under the relevant provisions of the Drugs Act, 1976, and the DRAP Act, 2012. The interim challan reiterates their alleged involvement and records that the prosecution recorded statements of witnesses under Section 161 Cr.P.C. and collected oral, documentary, and circumstantial evidence during the investigation. The Investigating Officer reported that the value of the seized medicines exceeded Rs. 30 million. The learned DAG submits that the investigation in this FIR is still ongoing.

6. The Counsel for the applicant/accused are unable to identify what aspects, at this bail granting stage, either make out a case for further inquiry for Farhan (in FIR Nos.18 and 19/2026) and Siraj Uddin (in FIR No.19/2026), who seek post-arrest bail, and/or malafide on the part of the law enforcement against his brother, Farukh, who seeks pre-arrest bail in FIR No.18/2026. The

applicant/accused brothers claim that the seized medicines were not for sale and were merely on display. The submissions are counter-productive, as displaying the medicines raises the question of why they were on display in the first place. This is no ground for further inquiry and/or investigation, on this score, as such defence is devoid of any reason.

7. Section 23 of the Drugs Act, 1976 prohibits, inter alia, manufacture of drugs without licence, manufacture and sale of unregistered drugs and dealing in spurious drugs. Section 27 provides penal consequences for such contraventions. The statutory scheme aims to protect public health through strict control over drug manufacture, registration, and quality. Thus, on a tentative assessment of the available record in the bail applications, there is sufficient incriminating material against the applicants/accused, and Counsel are unable to satisfy us that there is any reason on the part of the police to either falsely implicate the applicants/accused or to humiliate them or to cause unjustifiable harassment against them or for further inquiry in case of Farhan and Siraj. Accordingly, given the above, all three Criminal Bail Applications are hereby dismissed and the interim pre-arrest bail earlier operating in favour of the applicant/accused, Farrukh s/o Faqeer Muhammad, is recalled.

8. Without Prejudice to the above, the trial Court is directed to expedite the trial and examine material witnesses within six (6) months without fail in FIR Nos.18/2026 and 19/2026 registered at P.S. Corporate Crime Circle, Karachi, after which the applicants/accused would be at liberty to repeat their bail application, which will be decided on its own merits.

9. Needless to mention that the observations made hereinabove are tentative in nature and would not prejudice the case of either party at trial. The bail application is disposed of in the above terms.

Office to place a copy of this order in connected bail applications.

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