HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Crl. Revision Application No.S-58 of 2025

Present: Justice Jawad Akbar Sarwana

Applicant	:	Imamuddin s/o Ghulam Mustafa through Mr Muhammad Iqbal Hingoro, Advocate
Respondent	:	The State through Ms.Safa Hisbani, A.P.G
Date of hearing	:	**14.10.2025**
Date of decision	:	**04.11.2026**

O R D E R

JAWAD AKBAR SARWANA, J.: The applicant, Imamuddin Abro s/o Ghulam Mustafa, is aggrieved by the order dated 17.06.2025 passed by the Ist Additional Sessions Judge / MCTC, Tando Adam ("trial Court") in Criminal Miscellaneous Application No.13/2025 seeking release of the crime property in FIR No.29/2024 registered with P.S B Section Tando Adam under Section 462-B, 149 and 34 PPC, involving a Unimog Mini Truck having Registration No.TKR-138, Engine No. H07D-A-39516, Chassis No. 42112910118917, Model 1984, and Registration Certificate C0241615 ("Unimog Mini Truck"), which the police authorities seized on 17.03.2025, when it was alleged to have been used to transport 5,000 litres of crude oil, allegedly amounting to Rs. 6,50,000. The applicant applied for release of the Unimog Mini Truck, but the trial Court declined the application on the ground that the Unimog Mini Truck seized in the crime was as per the Office of the Senior Excite & Taxation Officer-V, Motor Registration Authority (Commercial) Quetta letter dated 13.05.2025 was registered in the name of Ghulam Rasool s/o Muhammad Hayat having CNIC No.51602-7713773-1, resident of Mastung A/P Quetta and not in the name of the applicant.

2. Heard Counsel and perused the documents available in the application as well as the police file. I have not found any documentary evidence that contradicts the facts articulated in the impugned Order dated 17.06.2025; i.e., the record clearly shows that the subject vehicle

was/is in the name of Ghulam Rasool. The applicant, Imamuddin Abro, has relied on an alleged sale/purchase agreement with Jamaluddin s/o Muhammad Bux concerning the Unimog Mini Truck, but no document connects and/or explains how Jamaluddin acquired title/ownership of the said Unimog Mini Truck from Ghulam Rasool. Without Prejudice to the foregoing, the photocopy of the sale/purchase agreement between Imamuddin and Jamaluddin executed before the crime is available on record, but it is not a valid document and does not affect the transfer of ownership under the Motor Vehicles Ordinance.

3. In the circumstances, I do not find any defect in the impugned order. The Sessions Judge has correctly determined that the vehicle was not registered in the applicant's name at the time of seizure. Further, the Sessions Judge has correctly concluded that the vehicle, which is yet to be exhibited as case property in the pending trial, cannot be released on superdari. Accordingly, this Criminal Revision Application is dismissed for the above reasons, subject to the applicant’s right to file a superdari application for the release of the vehicle, afresh, after it has been produced in evidence and is no longer required by the trial Court, subject to the independent determination of such superdari application by the concerned trial Court without prejudice to the observations made in this Order.

4. Given the above reasons, I dismissed the Cr. Revision vide my Short Order dated 14.10.2025, and the above are the reasons for the same.

JUDGE

AHSAN K. ABRO