

THE HIGH COURT OF SINDH KARACHI

Spl. Cr. Appeal No. 27 of 2026

[Muna Manzoor-ul-Hassan Baig v. The State]

Petitioner : Munna Manzoor-ul-Hassan Baig
through M/s. Zain A. Jatui, Mustafa
Mamdani, and Malhar Rathor,
Advocates.

Respondent : The State through Collectorate of
Customs JIAP, Karachi through Mr.
Naimat Ullah Soomro, Advocate
along with I.O. namely, Ameer.

Date of hearing : 28-07-2026

Date of decision : 28-07-2026

ORDER

Adnan Iqbal Chaudhry I.- Mr. Naimat Ullah Soomro, Advocate undertakes to file vakalatnama for the Customs. Learned counsel for the Appellant prays for suspension of sentence under section 426 Cr.P.C. He submits that the sentence is a short one and the Appellant was on bail throughout trial. He further submits that the Appellant has been convicted on a mis-reading of the evidence.

2. By the impugned judgment dated 15.07.2026, the Appellant has been convicted by the Special Judge (Customs, Taxation & Anti-Smuggling-II), Karachi and sentenced as follows:

"In view of the discussion made under Point No. 1, this Court has arrived at the conclusion that the prosecution has successfully proved beyond reasonable doubt that accused Muna Manzoor-ul-Hassan Baig knowingly and consciously attempted to bring into Pakistan ten gold bangles weighing 1145 grams, which were concealed beneath her Abaya and were not declared before the Customs authorities. The evidence on record has satisfactorily established both the actus reus and the mens rea necessary to constitute the offences under the Customs Act.

Accordingly, accused Muna Manzoor-ul-Hassan Baig is found guilty for committing offence punishable under Clause (iii)(d) of Clause (8) of 156(1) of Customs Act 1969 and sentenced to undergo Rigorous Imprisonment for three (03) years.

*She is also found guilty of committing offence punishable under Clause (iii)(d) of Clause (70) of Section 156(1) of the Customs Act, 1969 to undergo Rigorous Imprisonment for Years (02) years.
All the sentences shall run concurrently. The benefit of Section 382-B, Cr.P.C. is extended to accused.."*

3. Learned counsel for the Appellant submits that the Appellant was a national of Bahrain travelling to Pakistan while wearing the gold bangles; that the fact that she was wearing an *abaya* that covered her arms has been construed by the trial Court as intent to conceal the gold bangles, whereas the Appellant was detained even before she could reached the Customs Declaration counter to make the requisite declaration under the Baggage Rules.

4. Though counsel for the Customs opposes the application, in my view, the point raised by Appellant's counsel is sufficient for reappraisal of evidence. The sentence is also a short one and the Appellant remained on bail through-out trial.

5. For the forgoing reasons, the sentence awarded to the Appellant by judgment dated 15.07.2026 in the Case No.88/2021 arising from FIR No. P-754/2021-JIAP, is suspended, and the Appellant is granted bail under section 426 Cr.P.C. subject to furnishing solvent surety in the sum of Rs.500,000/- (Rupees Five Hundred Thousand only) and P.R. bond in like amount to the satisfaction of the Nazir of this Court. MA No.11336/2026 stands allowed in said terms.

JUDGE

**PS/SADAM*