

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-7104 of 2016

Date

Order with signature of Judge

Rustam Ali Soomro.....v/s.....NAB & others

Fresh Case

- 1.For order on misc No.33940/2016.
- 2.For order on office objection No.1, 2 & 4.
- 3.For order on misc No.33941/2016.
- 4.For hearing of main case.

28-12-2016

Mr. Mukhtiar Hussain Kazi, Advocate for Petitioner.

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1. Urgency granted.
 2. Office objection No.2 is sustained. Other objections are overruled.
 3. Exemption granted subject to all just exceptions.
 4. Learned counsel for the petitioner argued that presently the petitioner is in Dubai and he wants to surrender in NAB Reference No.19/2016 which has been filed in the Accountability Court No.VI, Hyderabad. He is accused No.23 in the Reference and has been shown as absconder. In paragraph 14 of the Reference it is stated that the accused Nos.21 to 24 are the friends of accused No.3 and they abetted him in embezzlement of government funds by opening bank accounts and receiving payments without executing any work at Town Sujawal. The learned counsel further stated that no exact role of the present petitioner has been assigned in the Reference except the general allegations. He referred to the protective bail order passed by one of us (Muhammad Ali Mazhar-J) in Criminal Bail Application No.219/2011 (Moonis Elahi v. The State). To a question raised by this court as to why Vakalatnama has not been filed, the learned counsel submits that the petitioner has given him instructions to file the case urgently

and he admits the responsibility that the bail has been filed on proper instructions of the petitioner who is in Dubai.

2. Since the petitioner wants to surrender before the trial court but due to apprehension of the arrest, he has applied for protective bail to this court, therefore, without touching the merits of the case the petitioner is granted protective bail for twelve (12) days in the sum of Rs.1,00,000/- (Rupees One Lac only) with P.R. Bond in the like amount to satisfaction of the Nazir of this court. This protective bail order will remain in force for twelve (12) days from today or the date when the petitioner will surrender before the competent court for seeking bail whichever is earlier. This petition is disposed of accordingly.

The bail order is conditional and subject to filing of the Vakalatnama of the learned advocate duly signed by the petitioner in the office. The office will send the file to the Nazir's office with proper endorsement whether Vakalatnama has been filed or not.

Judge

Judge

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