

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Crl. Bail Application No. 124 of 2021

Date Order with signature of Judge

For hearing of bail application:

2nd March, 2021

Rana Muhammad Iftikhar Khan, advocate a/w applicant.
Mr. Muhammad Ahmed, DAG.
SIP Manzoor Abbasi of FIA, AHTC (focal person).

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Omar Sial, J: Shahid Akhtar Tariq has sought pre-arrest bail in crime number 98 of 2011 registered under sections 420, 467 and 109 P.P.C. at the FIA Anti-Human Trafficking Circle, Karachi police station. Earlier, his application seeking bail was dismissed on 16-1-2021 by the learned Sessions Judge, Malir.

2. A background to the case is that a package was booked on 25-3-2010 for delivery through courier to Malaysia. The package when checked contained 54 fake and forged visa stickers for different countries. The applicant's national identity card had been used to book the package.

3. I have heard the learned counsel for the applicant as well as the learned DAG. My observations are as follows.

4. Upon repeated queries from the learned DAG as to what was the evidence available against the applicant apart from a photocopy of his national identity card used to book the package. The learned DAG informed the court that there was none. The learned DAG could not give any reason as to why the F.I.R was registered after more than one year of the incident. The applicant is a foreign national of Pakistan origin and it appears that he was not even in the country when the package was booked. The F.I.A. has not collected and produced his travel history to show otherwise. The CCTV footage of the person coming to book the parcel was not obtained. The clerk who booked the package was not questioned or made a witness. No forensics was conducted on the receipts signed to book the parcel. It is a 10 year old case and no serious effort was taken to serve summons upon the applicant in this decade long period. No investigation

on the forged visas, their origins, their makers and their consignee was carried out. The F.I.A. focal person has remained absolutely speechless throughout the proceedings except telling the court that there is no evidence available against the applicant apart from a photocopy of his national identity card. Malafide on the part of F.I.A. in registering this case against the applicant cannot be conclusively ruled out.

5. Above are the reasons for the short order 22-2-2021.

JUDGE