

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

Crl. Bail Application No. 601 of 2023

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**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

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For hearing of bail application.

**03-04-2023**

M/s. Ibrahim Rais and Matloob Hussain Qureshi, Advocates for applicant.

Ms. Abida Parveen Channer, Spl. Prosecutor ANF a/w PI Muhammad Imran, I.O.

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**Omar Sial, J:** Abdul Khaliq the applicant was arrested by the ANF on 28.11.2022 with 50 grams of a substance that the learned Special Prosecutor, ANF and the investigator refer to as “bhang”. F.I.R. No. 36 of 2022 was registered against him under sections 6, 9(1)(1)(a), 14 and 15 of the CNS Act, 1997 at the ANF police station in Gulshan-e-Iqbal. Earlier, his application seeking bail was dismissed by the learned Special Court-I (CNS) Karachi on 10.02.2023.

2. The potential sentence for possession of 50 grams of bhang is 6 months imprisonment that may be extended to 3 years. Although not bailable, the potential punishment falls within the non-prohibitory clause of section 497 Cr.P.C. In all probability the applicant will have served out his sentence before his case is decided. Keeping in view the principles enunciated in the case of Tariq Bashir and 5 others vs The State (PLD 1995 SC 34), I do not see any extraordinary or exceptional reasons to deny the applicant bail.

3. For the reason above, the applicant is admitted to post arrest bail subject to his furnishing a solvent surety in the sum of Rs. 500,000 and a P.R. Bond in the like amount to the satisfaction of the learned trial court.

JUDGE

