

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Crl. Bail Application No. 85 of 2023

DATE

ORDER WITH SIGNATURE OF JUDGES

For hearing of bail application.

03-04-2023

M/s. Mujeebuddin Qamar and Syed Salman Ali, Advocates for applicant.

Ms. Robina Qadir, Addl.P.G. a/w PI Akbar Hameed Ghori, SSP Investigation Office, Zone-III, Karachi.

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Omar Sial, J: Farhan Khan has sought post arrest bail in crime number 608 of 2022 registered under sections 6 and 9(c) of the CNS Act, 1997. Earlier, his applications seeking bail was dismissed by the learned 5th Additional Sessions Judge, Karachi East on 27.10.2022.

2. Facts of the case are that a police party led by S.I. Mohammad Ramzan was on normal patrol duty when it received spy information of some persons in possession of charas. The police reached the identified place and apprehended the applicant with 1690 grams of charas in his possession.

3. I have heard the learned counsel for the applicant and the learned Addl.P.G.

4. At the hearing of the bail application, a woman claiming to be a cousin of the applicant emerged with the counsel and apprised the court that she was going on a motorcycle with her cousin when a minor accident occurred and as the persons with whom the accident occurred were police officials, they arrested her cousin and foisted this case on him. In order to ensure at this stage that no injustice be done, the SSP, Investigation-III, Korangi was directed by the court to personally look into the matter and confirm whether his enquiry reveals any abuse of power or police excesses. The police officer after a thorough inquiry furnished his report and concluded that the case was a genuine one and that the woman cousin

statement allegations were not true and she had failed to provide any back-up evidence to her claim. In fact, according to the SSP, she had changed her story when before him and the story has been made merely to invoke the sympathy of the court. When confronted with the report of the SSP, the body language and demeanor of the woman cousin was far from being satisfactory or convincing.

5. The applicant was arrested red handed with a sizeable quantity of charas in his possession. No malafide on the police, at this stage is apparent, to falsely implicate the applicant.

6. Bail application is dismissed.

JUDGE