

ORDER SHEET  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**Cr. Misc. Application No.885 of 2023**

Date

Order with signature of Judge

For hearing of case.

**22.11.2023**

Mr. Muhammad Yousif Narejo, advocate for the applicant.

Ms. Rubina Qadir, DPG.

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Through the instant Criminal Miscellaneous Application, the applicant Rehmat Gul has assailed the order dated 21.10.2023 passed by learned VI-Additional Sessions Judge, Karachi Malir in Cr. Misc. Application No.304/2023, whereby the order on an application under Section 516-A Cr. P.C. for release of the vehicle bearing registration No.TAJ-364, chassis No.1698257, Engine No.69111, Model 1983, (Truck) filed by the applicant/owner has been declined on the premise that the order dated 02.10.2023 on the subject issue had already been passed and the application was dismissed as such no second application under Section 516-A Cr.P.C was/is maintainable.

Learned counsel for the applicant states that the applicant is the owner of the subject vehicle and there is no other claimant besides the vehicle available at the police station in the open sky without any shelter, care, and attendance, it would be damaged as such the vehicle is required to be handed over to the applicant on superdari as he is ready and willing to furnish surety as well as ready to deposit original papers of the vehicle with the learned trial court.

Learned DPG objected on the ground that the case property is required in the FIR No.403/2023, Police Station Gadap City, under Section 279/320 PPC and prays for dismissal of the Misc. Application.

I am of the tentative view that documents of the subject vehicle are in the name of the applicant; and, no fruitful result will come out to keep the vehicle at the police station without care, let the subject vehicle be released to its owner on Superdari subject to furnishing his solvent surety in the sum of Rs.200,000/- and P.R bond in the like amount to the satisfaction of trial Court; and, original papers of the vehicles shall also be deposited with the trial Court as security till final disposal of the subject case arising out of FIR 403 of 2023 registered for the offense under Section 279, 320 PPC of P.S Gadap City Karachi.

In view of the above the Criminal Miscellenous Application stands disposed of in the above terms.

JUDGE