

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CR. BAIL APPLICATION NO.1724/2022

Date

Order with signature of Judge

11.10.2022

Ms. Sanwara Hashmi advocate for applicant.
Ms. Seema Zaidi, APG.

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Admittedly applicant has been granted bail in main case and present case falls under section 24 of the Arms Act 2013; while examining and comparing sections 23(1)(a) and 24 of the Act of 2013, it is clear that sub-section 1 (a) of Section 23 of the Act of 2013 deals with situations where one acquires, possesses, carries or controls any firearm or ammunition in contravention of Section 3 of the Act of 2013 (i.e. 'license for acquisition and possession of firearms and ammunition') and whereas Section 24 of the Act of 2013 provides punishment for possessing arms or ammunition, licensed or unlicensed, with the aim to use the same for any unlawful purpose. Since maximum punishment up to 14 years is provided by Section 23(1)(a); and Section 24 ibid provides punishment up to 10 years, maximum punishment in the case of recovery of a pistol, which falls within the definition of "arms" in terms of Section 2 of the Act of 2013, will be 10 years under Section 24 ibid. The question of quantum of punishment had to be determined by the trial Court as to whether the accused would be liable to maximum punishment or not, and in case of his conviction, whether his case would fall under the prohibitory clause or not.

In instant case all the witnesses are admittedly police officials and the accused was no more required for further

investigation, the case is of further inquiry hence applicant Majid is admitted to post arrest bail in the sum of 25,000/- and PR bond in like amount to the satisfaction of the trial court.

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