

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Criminal Bail Application No. 305 of 2025

Date

Order with Signature of Judge

1. For orders on M.A No.1830/2025.
2. For orders on M.A No.1831/2025.
3. For hearing of Bail Application.

03.02.2025

Syed Samiullah Shah, Advocate along with Applicant.

-x-x-x-x-x-

1. Granted.
2. Granted subject to all just exceptions.
3. Through this bail application, applicant Saddam Hussain seeks pre-arrest bail in Crime No.276 of 2022 for the offence punishable under Section 3 & 6 of Prevention of Smuggling of Migrants Act, 2018 registered with P.S FIA, AHT Circle, Karachi. The bail application filed by the applicant before the trial Court was dismissed by learned Sessions Judge, Malir Karachi on 29.01.2025; hence, instant application is filed.

The prosecution case as per FIR is that one Awais Ahmed who was deported from Istanbul, Turkey with remarks "illegally entry into Turkey/self/voluntarily return". Further, the deportee disclosed that he left Pakistan via Iran illegally without any valid travel document/visa. Further disclosed that one agent namely Saddam Hussain (present applicant) demanded an amount of Rs.200,000/- which was to be paid to him after his arrival in Turkey and arrangement of employment there, which the applicant agreed. The said agent sent him to Iran by illegally crossing Pak/Iran border via Quetta and that further action of the Turkey establishment has been come on record.

Learned counsel for the applicant firstly argued that notice be issued to the deportee in order to ascertain the facts. Secondly, he prayed for grant of interim bail at first instance and lastly, argued that applicant is innocent.

The crime i.e. Section 3 & 6 of Prevention of Smuggling of Migrants Act, 2018 in which the applicant is involved is an offence against the society keeping in view of said law, the applicant prima facie is involved in such incident. Furthermore, the pre-arrest bail is discretionary relief and applicant is not entitled for such relief, the applicant being an agent gave perks for employment and demanded amount as such practice is very thoroughly flatted in our society/country so in order to curtail such practice, the persons be dealt with iron hands. The act of accused has also discoloured the international image of the nation.

In view of the above, instant bail application is hereby dismissed.

JUDGE