

ORDER SHEET
HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P No.D- 860 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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For further orders

04.8.2025

None present for the Petitioner
Mr.Siraj Ahmed Bijarani, A.P.G Sindh

RIAZAT ALI SAHAR, J:- Through this petition, the petitioner seeks his release on post-arrest bail in Crime No.07of 2025, registered at Police Station Mahi Otho, District Jamshoro, for offence under Section 9 (i), 3 (c) of the Sindh Control of Narcotic Substances Act, 2024.

Since the amendments have been made by the Provincial Assembly of Sindh in the Sindh Control of Narcotic Substances Act, 2024 (Sindh Act No. VIII of 2024) through the Sindh Control of Narcotic Substances (Amendment) Act, 2025, however, the same is yet to receive the assent of the Governor and to be published in the official Gazette, therefore, this Court is ***coram non judice*** the petitioner has remedy to approach the appropriate forum / Special Court or **competent Court** for bail. The guidelines have already been provided by this Court in **C.P. No. D- 625 of 2025 (Re: Hafeezullah Lashari v. Province of Sindh and others)** at Circuit Court Larkana and **C.P. No. D-725 of 2025 (Re: Peer Bux v. The State and others)** at Circuit Court Hyderabad.

Learned A.P.G. Sindh concedes for disposal of instant petition in view of above legal position.

In view of the above, instant petition is **disposed of**, leaving the petitioner at liberty to approach the appropriate forum / **Special Court or competent Court** as envisaged in section 2 (pp) and 2 (qq) of the Sindh Control of Narcotic Substances Act, 2024 for bail after issuance of proper notification through official Gazette, which reads as under:-

(pp) “Special Court” means the Special Court established under section 30 or any other Court empowered to exercise the powers of the Special Court under this Act;

(qq) “competent court” means existing Court of District & Sessions Judge that has the legal authority to hear and decide a case under this Act;

JUDGE

JUDGE