

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Revision Appln. No. S-72 of 2024

Applicants : 1) Karar, 2) Irfan & 3) Sultan
All sons of Waryam, by caste Burirro
Through Mr. Ameenuddin Khaskheli, Advocate

The State : Through Mr. Shafi Muhammad Mahar, D.P.G

Date of Hearing : 15.12.2025
Date of order : 15.12.2025

ORDER

KHALID HUSSAIN SHAHANI, J.— Applicant Karar & 02 others, by caste Burrira have invoked the revisional jurisdiction of this Court, calling in question order dated 22.08.2024, passed by the learned 1st Additional Sessions Judge/Model Criminal Court (MCTC), Naushaharo Feroze, whereby bail already granted to them as well as to co-accused Daim and Anees has been cancelled and their bail bonds forfeited.

2. The notice earlier issued to the complainant has been received back unserved. However, the SHO, P.S. Moro is present in person and states that he visited the given residential address of the complainant, where the complainant was not found available. He further states that he then contacted the complainant on his mobile number 0305-2741101, informed him about the instant criminal revision application, and apprised him of the date of hearing. According to the SHO, the complainant, who is an advocate by profession, categorically stated that he does not intend to appear before this Court in these proceedings, but that he will approach the trial Court at the relevant stage for recording his evidence.

3. In support of the above assertion, the SHO has produced the CDR of the complainant's cell number, demonstrating that contact was indeed established on the aforementioned number. In view of this material, the show cause notice earlier issued to the SHO for non-service of notice upon the complainant is hereby recalled.

4. Learned Deputy Prosecutor General for the State submits that the impugned order dated 22-08-2024, passed by the learned 1st Additional Sessions Judge/(MCTC), Naushahro Feroze, was made without affording the applicant an opportunity of being heard. He therefore fairly concedes that the impugned order may be set aside with a direction to the learned 1st Additional Sessions Judge, Naushahro Feroze, to provide due opportunity of hearing to all concerned and to decide the matter afresh in accordance with law.

5. Accordingly, the impugned order dated 22.08.2024 is set aside. The matter is remanded to the learned 1st Additional Sessions Judge/(MCTC), Naushahro Feroze, who shall afford proper opportunity of hearing to the parties and thereafter decide the case afresh, strictly in accordance with law.

6. The instant Criminal Revision Application stands disposed of in the above terms.

J U D G E