

IN THE HIGH COURT OF SINDH AT KARACHI**Present:****Mr. Justice Omar Sial****Mr. Justice Miran Muhammad Shah****Const. Petition No. D - 2652 of 2023****[Khalid Rehman vs. State through D.G. NAB]**

Petitioner : through Mr. Irshad Ali Jatoi, Advocate

Respondent : through Mr. Sharfuddin Jamali,
Assistant Attorney General a/w
Muhammad Iqbal, Assistant Director
FIA, I.O. and S.I. Adnan Dilawar.

Date of hearing : 05.11.2025

Date of Order : 12.11.2025

ORDER

Omar Sial, J: The National Accountability Bureau filed Reference No. 19 of 2016 on 05.03.2016 against ten persons, including the petitioner, Mr. Khalid Rehman. The Reference pertained to irregularities in the Sui Southern Gas Company Limited's bidding process and the award of a contract to Jamshoro Joint Venture Limited. Mr. Rahman applied to the Accountability Court No. IV at Karachi, seeking his acquittal; however, the application was dismissed on 04.03.2023.

2. The current petition was filed by Mr. Rahman on 27.05.2023, challenging the Order dated 04.03.2023. Shortly after the filing, the National Accountability Ordinance, 1999, was amended, and NAB lost jurisdiction in the matter. The Reference was returned to the Chairman, NAB. Subsequently, the same was transferred to the F.I.A. The Agency has enquired into the matter but, to date, has not been able to determine whether it wishes to proceed further against Mr. Rahman. This Court has repeatedly requested that the State and the F.I.A. make such a determination; however, the position over the last

one and a half years has remained the same. This is not the only case where the litigants find themselves in a similar situation. The State, however, has yet to determine what to do with the cases transferred to the Anti-Corruption Establishment as a result of the amendments to NAO, 1999. It was only after we requested Mr. Mujahid Akbar, Additional Director General, Sindh, to personally oversee why the F.I.A. is reluctant to file its stance, that a meaningful reply was filed on 05.11.2025 by Mr. Adnan Dilawar. The comments filed by the F.I.A. reflect that the NAB Reference has been treated as a source report and that the allegations contained therein are not determinative findings. We appreciate the efforts taken by the two officers.

3. We are cognizant that the Court will not interfere with enquiries and investigations; however, we are also mindful that persons' fundamental rights to life, liberty, and dignity are also at stake. Mr. Rahman has an impressive educational background and has served in key senior positions in the corporate sector. It will be unfair to continue to let the proverbial Damocles' sword hang over his head.

4. Given the above, all advocates present agree as follows:

- (i) The proceedings initiated by NAB against Mr. Rahman are quashed.
- (ii) The F.I.A. is at liberty to enquire into the SSGC/JJVL case as a fresh enquiry, as and when it deems it appropriate. Due process will be followed if a fresh enquiry is initiated and the same will be conducted in accordance with law.

Order accordingly.

JUDGE

JUDGE