

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Present:

Mr. Justice Adnan Iqbal Chaudhry
Mr. Justice Abdul Hamid Bhurgri

Criminal Bail Application No. D-08 of 2026

[Khan Muhammad Nindwani Versus The State]

Applicant : Khan Muhammad son of Muhammad Afzal Nindwani, through Mr. Saeed Ahmed B. Bijarani, Advocate.

Respondent : The State
Through Mr. Nazeer Ahmed Bhangwar,
Deputy Prosecutor General, Sindh.

Date of Hearing : 10-03-2026

Date of Order : 10-03-2026

*Crime No. 02 of 2026
u/s: 9(1)(3)(c), Sindh CNS Act, 2024
P.S. Ghulam Sarwar Sarki
District Kashmir @ Kandhkot*

ORDER

Adnan Iqbal Chaudhry J. - The Applicant seeks post-arrest bail in the aforesaid crime after the same has been declined by Sessions Judge, Kashmir at Kandhkot acting as competent court under the Sindh Control of Narcotic Substances Act, 2024 by order dated 21.01.2026.

2. As per the FIR, the police party on patrol, spotted the Applicant with a black shopping bag, who tried to flee upon seeing the police; however, after a short chase he was apprehended; a search of his shopping bag revealed three pieces of charas wrapped in white plastic, weighed at 1020 grams, which were sealed on the spot and the Applicant was arrested for the crime punishable under section 9(1), Sr. No.3(c) of the Sindh Control of Narcotic Substances Act, 2024.

3. Heard learned counsel and perused the record.

4. The police claims to have arrested the Applicant from a public place and after a chase, but no independent witness in that regard has

been cited. While the FIR alleges that the Applicant confessed that he buys charas from Balochistan for sale in Sindh, however, only a paltry sum of Rs. 200 was found on his person.

5. Though the charas had been seized on 02.01.2026, the chemical report reflects that it was received by the lab on 06.01.2026 under cover of memo dated 05.01.2026. The prosecution does not explain the delay in dispatching the narcotic for lab test, which then leads to a doubt of its safe custody during the intervening period.

6. The aforesaid facts lend support to the Applicants' version that the charas was foisted upon them when he refused to oblige the police. Admittedly, the Applicant does not have a criminal record. The quantity allegedly recovered from the Applicant does not attract punishment by death or imprisonment for life.

7. In view of the foregoing, the case against the Applicant is of further inquiry into his guilt, falling within the ambit of sub-section (2) of section 35 of the Sindh Control of Narcotic Substances Act, 2024, as amended by Sindh Act No. XVII of 2025. Therefore, the Applicant Khan Muhammad son of Muhammad Afzal Nindwani, is granted bail subject to furnishing solvent surety in the sum of Rs. 100,000/- [Rupees One Hundred Thousand only] and P.R bond in like amount to the satisfaction of the trial court.

Needless to state that the observations herein are tentative and should not be construed to prejudice the case of either side at trial.

JUDGE

JUDGE