

ORDER SHEET
THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Criminal Jail Appeal No. D-20 of 2024

Date	Orders with signature of Judge
------	--------------------------------

1. For orders on M.A No.4408/25 (E/A).
2. For orders on M.A No.4409/25 (517 Cr.P.C).

27-01-2026

Nemo, for applicant.
Mr. Aitbar Ali Bullo, D.P.G for State.

In the instant Criminal Jail Appeal, the appellants were acquitted by this Court vide judgment dated 20.03.2025, whereas they had earlier been convicted and sentenced by the learned I-Additional Sessions/Special Judge for CNS, Larkana, in Special Case No.19 of 2023. Subsequent to the acquittal, the owner/applicant, namely Gulshan Ali, filed Criminal Miscellaneous Application No.4409 of 2025 under Section 517 read with Section 561-A, Cr.P.C. seeking restoration/return of the vehicle allegedly involved in the offence.

A perusal of Section 517, Cr.P.C read with the section 33 of Control of Narcotics substances Act 1997, reveals that the Special Court is empowered to pass appropriate orders regarding the disposal of property in respect of which an offence is alleged to have been committed, upon conclusion of the inquiry or trial. However, in the present case, since the appeal has already been allowed by this Court, the applicant is required, in the first instance, to avail the appropriate statutory remedy by approaching the Special/trial Court for redressal of his grievance and for seeking restoration/return of the vehicle in question. It appears that such recourse has not yet been adopted by the applicant.

In view of the foregoing reasons, the instant Criminal Miscellaneous Application No.4409 of 2025 is hereby disposed of accordingly.

JUDGE

JUDGE