IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.1498 of 2026

Applicant	:	Imran Khan, through Mr. Zia-ul-Haq Makhdoom, Advocate, along with Mr. Mussadiq Bhatti, Advocate.
Respondent	:	The State, through Mr. R.D. Kalhoro, D.A.G., along with I.O., FIA.
Date of hearing	:	21.05.2026.
Date of order	:	21.05.2026.

O R D E R

TASNEEM SULTANA, J.— Through this criminal bail application, the applicant Imran Khan seeks post-arrest bail emanating from Crime No.AHTC-KHI-135 of 2026, registered under Sections 3, 6 and 7 of the Prevention of Smuggling of Migrants Act, 2018, as amended in 2025, read with Sections 420, 468, 471 and 109, P.P.C. and Section 6(1)(g) of the Passports Act, 1974, at Police Station FIA, Anti-Human Trafficking Circle, Karachi. Earlier, his bail application bearing No.11 of 2026 was dismissed by the learned Judge, Special Court (Central)-II, Karachi, vide order dated 13.05.2026; hence, the instant application for the same concession.

2. Brief facts of the prosecution case are that on 15.04.2026, passengers Taimoor Ahmed and Syed Aman were intercepted at Jinnah International Airport, Karachi, while attempting to travel to South Korea on visit visas, though their alleged intention was to seek asylum or employment there. The passport of Taimoor Ahmed was recovered from co-accused Asif-ur-Rehman and, upon examination, fake immigration stamps of different countries were allegedly found affixed thereon. During inquiry, co-accused Asif-ur-Rehman and Amir Baloch allegedly disclosed the involvement of the applicant. A raid was thereafter conducted at his premises, resulting in the alleged recovery of 44 passports belonging to different persons. It is further alleged that, on the applicant's pointation, co-accused Aslam Khan was arrested and 61 passports, fake immigration stamps of different countries and other travel documents were recovered from his residence. Consequently, the present FIR was registered against the applicant and the other accused persons.

3. Learned counsel for the applicant contended that the applicant has been falsely implicated with mala fide intention; that he was neither present at the airport nor connected with the two off-loaded passengers; that his involvement rests upon the disclosure statements of co-accused; that the

passports allegedly recovered from him have not been linked with the occurrence or shown to contain forged endorsements; that no financial, electronic or forensic material connects him with the alleged offence; and that the case calls for further inquiry under Section 497(2), Cr.P.C. In support of his contentions, learned counsel relied upon *Abdul Karim v. The State* (2024 YLR 2635), *Shahzad v. The State and another* (2023 SCMR 679) and *Anwar Khan and another v. The State* (2018 YLR 172)

4. Conversely, learned D.A.G., assisted by the Investigating Officer, opposed the application and contended that the applicant was specifically identified by the co-accused as the person who arranged fake immigration stamps; that 44 passports were recovered from his premises; that his pointation led to the arrest of co-accused Aslam Khan and recovery of 61 passports along with fake immigration stamps; that the material collected during investigation prima facie connects the applicant with the alleged organized network; and that he has failed to make out a case for grant of bail.

5. Heard. Record perused.

6. At the bail stage, the Court is required to undertake a tentative assessment of the material collected during investigation to determine whether reasonable grounds exist for believing that the accused is connected with the alleged offence or whether the matter calls for further inquiry within the meaning of Section 497(2), Cr.P.C.

7. The record reflects that the applicant was neither apprehended at the airport nor found in possession of the passport of either of the two off-loaded passengers. The passport of Taimoor Ahmed, containing the allegedly forged immigration stamps, was recovered from co-accused Asif-ur-Rehman. Likewise, the alleged payment of Rs.1,600,000/- is attributed to co-accused Danish through an account maintained in the name of “D.K. Trading”, whereas no monetary transaction or financial benefit has been attributed to the present applicant.

8. The applicant’s name surfaced during inquiry through the disclosure statements of co-accused Asif-ur-Rehman and Amir Baloch. Such statements made before the police have no substantive evidentiary value against another accused, except to the extent that any information supplied leads to the discovery of a relevant fact. By themselves, therefore, the alleged disclosure statements do not sufficiently connect the applicant with the alleged offence.

9. The alleged recovery from the applicant comprises 44 passports belonging to different persons. However, the prosecution material placed before the Court does not presently show that any of those passports bears a forged immigration endorsement, pertains to either of the two off-loaded passengers, or was used in furtherance of the alleged attempt of illegal migration. Significantly, no stamp, seal, visa sticker, printing device or other instrument used for fabricating immigration records was recovered from the applicant’s premises. Since Section 6(1)(g) of the Passports Act, 1974, contemplates wrongful possession, the circumstances in which the passports came into the applicant’s custody and their connection, if any, with the alleged criminal activity require determination through evidence. The principles laid down in *Abdul Karim v. The State* (2024 YLR 2635) and *Anwar Khan and another v. The State* (2018 YLR 172) support the view that possession, without sufficient connecting material, may bring the matter within the ambit of further inquiry.

10. The prosecution also relies upon the arrest of co-accused Aslam Khan and the recovery of 61 passports and fake immigration stamps from his residence, allegedly pursuant to information supplied by the applicant. However, the said articles were recovered from the premises of co-accused Aslam Khan and not from the possession of the applicant. The extent to which this consequential recovery connects the applicant with the alleged offence shall be assessed by the learned trial Court on the basis of evidence.

11. It further appears from the interim charge sheet that forensic examination of the seized mobile phones, collection of banking record, and investigation into the connection of the accused persons were still in progress. The prosecution has not placed on record any forensic report, call data record, electronic correspondence or banking transaction directly connecting the applicant with the two off-loaded passengers or with the forged immigration stamps appearing on the passport of Taimoor Ahmed. The allegation that the applicant arranged or affixed fake immigration stamps, therefore, calls for further inquiry.

13. In view of the above facts and circumstances, the applicant succeeded in making out a case of further inquiry within the meaning of Section 497(2), Cr.P.C. Consequently, the applicant was admitted to post-arrest bail, subject to furnishing solvent surety in the sum of Rs.200,000/- (Rupees Two Hundred Thousand only) and P.R. bond in the like amount to the satisfaction of the Nazir of this Court, vide short order dated 21.05.2026. These are the reasons for the said short order.

14. The observations made herein are tentative in nature and shall not influence the learned trial Court while deciding the case on merits.

JUDGE