

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Misc. Application No. D- 40 of 2024

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE.
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- 1. For orders on office objections.
- 2. For hearing of main case.

14.07.2026

Mr. Rukhsar Ahmed Junejo, Advocate for applicant.
Mr. Sikandar Ali Junejo, Advocate for Respondents Nos. 2 to 4.
Mr. Muhammad Raza Koathar, D.P.G.

The grievance of the applicant is that learned Presiding Officer of Anti-Terrorism Court Khairpur Mir’s passed orders dated 23.07.2024 and 27.07.2024 without assigning reasons, though in view of Section 179 Cr.P.C the same Court has powers to try the offence and after the aforesaid orders still the report under section 173 Cr.P.C has not been filed by the police in any Court. Section 179 Cr.P.C provides as follows:

“ When a person is accused of the Commission of any offence by reason of anything which has been done, and of any consequence which has ensued, such offence may be inquired into or tried by a Court within the local limits of whose jurisdiction any such thing has been done, or any such consequence has ensued.”

After going through section 179 Cr.P.C, counsel for private respondents and learned Additional Prosecutor General conceded for setting aside the impugned order and remand of the case to the Court of learned Anti-Terrorism Court, Khairpur to pass fresh order after hearing the parties and considering section 179 Cr.P.C. Order accordingly. At this juncture, Mr. Sikandar Ali Junejo Advocate submits that respondents Nos. 2 to 4 namely : Shahzado alias Shadan, Rahib Ali alias Rahu and

Anwar Ali were on bail, however, their bail application was dismissed as infructuous and he apprehends that as and when they approached to trial Court they will be taken into custody. Under these circumstances, respondents Nos. 2 to 4 namely : Shahzado alias Shadan, Rahib Ali alias Rahu and Anwar Ali are granted protective bail subject to furnishing P.R bond in the sum of Rs. 50,000/- (Fifty thousand) each before Additional Registrar of this Court with directions to approach the trial Court. However, the trial Court is directed to pass a fresh order within 15 (fifteen) days.

Criminal Misc. Application is disposed of in the above terms.

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