

IN THE HIGH COURT OF SINDH AT KARACHI

Constitution Petition No. D-2552 of 2025

(Muhammad Saeed v. Federation of Pakistan through Ministry of
Narcotics Control & others)

Present:

Mr. Justice Muhammad Saleem Jessar
Mr. Justice Nisar Ahmed Bhanbhro

Petitioner : Through Mr. Imtiaz Ali, Advocate
Respondents : Through Ms. Shazia Hanjrah, DAG and
Mr. Waqar Ahmed, Special Prosecutor, ANF
Date of hearing and order : 12.05.2026

ORDER

Muhammad Saleem Jessar, J.- Through this petition, petitioner seeks following relief:-

- a. To direct the Respondent No.4 to withdraw letter No. KCA/1372/AFI-550/2024, dated 19-05-2024, with further direction to issue N.O.C under intimation to the concerned Department for de-freezing all accounts of petitioner being maintained by the petitioner in various banks.
- b. To direct the Respondent No.4 to de-freeze the accounts of petitioner mentioned above to allow him to carry out bank transactions as he was maintaining before the issuance of letter No. KCA/1372/AFI-550/2024, dated 19-05-2024, by the Respondent No.4.

2. Learned counsel for the petitioner contended that the bank accounts of the petitioner were frozen on account of his alleged involvement in criminal case bearing FIR No.35 of 2023 registered with P.S. ANF, Gulshan, Karachi under Sections 6/9(1)(3)(c) read with 14 and 15 of the CNS Act. He submitted that during the course of investigation, the petitioner was not referred for trial, whereas another accused namely *Faheem Khan* alias *Asif* son of *Dilbar Khan* faced the trial and was subsequently acquitted by the learned trial Court vide judgment dated 05.08.2024. He further contended that since the petitioner was neither involved in the alleged offence nor had any nexus with the same, and the case itself has culminated in acquittal, continuation of

freezing of the petitioner's assets and bank accounts is without lawful authority. He, therefore, prayed for allowing the instant petition.

3. Learned Special Prosecutor, ANF contended that the assets and bank accounts of the petitioner were frozen due to his suspected involvement in FIR No.35 of 2023; however, during inquiry/investigation, the petitioner was not found involved in the alleged offence. He, however, fairly conceded that the freezing order dated 19.05.2024 is still in field and has not yet been withdrawn. He, therefore, sought dismissal of the petition.

4. We have heard learned counsel for the parties and perused the material available on record.

5. Perusal of the record reflects that the petitioner was neither found involved in the alleged offence nor was he referred to face trial. The learned trial Court has already acquitted the accused, who faced trial vide judgment dated 05.08.2024. Admittedly, the petitioner is no more required by the ANF in connection with the aforesaid case. In such circumstances, continuation of freezing of the petitioner's assets and bank accounts is without lawful justification and cannot be sustained in the eyes of law.

6. Accordingly, this petition is **allowed** and the impugned letter bearing No.KCA/1372/AFI-550/2024 dated 19.05.2024 is hereby *set aside*. The respondents are directed to de-freeze/unblock the bank accounts of the petitioner forthwith, strictly in accordance with law.

Judge
Head of Const. Benches

Judge