

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Cr. Bail Appl.No.2535 of 2026

Date	Order with signature of the Judge
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Present:
Mr. Justice Muhammad Iqbal Kalhoro.
Mr. Justice Khalid Hussain Shahani.

Abdul Qayoom Vs. The State

01.10.2026.

Mr. Muhammad Aslam Bhutta, Advocate for applicant
Mr. Muhammad Ali Noonari, DPG. a/w Insp. Ali Raza P.S. Gulistan-e
-Johar

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MUHAMMAD IQBAL KALHORO J: Applicant alongwith co-accused Naseeb Shah were arrested by a police team of P.S. Gulistan-e-Johar, Karachi on 20.06.2026 while travelling in a Suzuki Alto bearing registration No.BQW-223. From applicant allegedly 1055 grams of Charas, whereas from co-accused Naseeb Shah 1520 grams of Charas were recovered, hence both were booked in FIR bearing Cr. No.551/2026 U/s 9(1) 3(c), Sindh, CNS Act, 2025 of P.S. Gulistan-e-Johar, Karachi.

2. Applicant’s counsel has pleaded for bail on the ground that there is no CRO of the applicant; no video recording of the incident in terms of section 17(2) of Sindh Control of Narcotics Substances Act, 2025 has been done; there is no CDR confirming presence of either police party or the accused at place of incident at relevant time and the investigation in regard to ownership of vehicle is also silent, hence the case requires further inquiry.

3. On the other hand, learned D.P.G. has opposed the bail.

4. We have considered submissions of the parties and perused material available on record. The grounds taken by learned defence counsel for bail require deeper appreciation of evidence, hence cannot be appreciated at this stage, when *prima facie* sufficient evidence in shape of memo of recovery and 161 Cr.P.C statements of witnesses are available on record. Nothing has been said to show enmity of the applicant with the police to give a reason for his false implication in the case. In regard to the arguments, that from applicant allegedly only 1055 grams of Charas was recovered, at this stage when both the accused were arrested while traveling in the same vehicle, conscious possession of narcotics by one accused recovered from other accused cannot

be ruled out. Unless, entire evidence is recorded, the applicant cannot be said to be in possession of only 1055 grams of Charas exclusively and not in conscious possession of narcotics recovered from his accomplice. We, therefore, do not find the applicant entitled to bail. Accordingly, this bail application is dismissed. However learned trial court is directed to expedite the trial and conclude it as soon as possible.

The Cr. Bail Application is disposed of.

The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

A.K