

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.A. No.2605 of 2026
(Jamaluddin vs. The State)

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Jawad Akbar Sarwana

For hearing of bail application

Date of hearing
& order 26.10.2026

Ms. Hawa Ladhani, advocate for applicant
Mr. Mushraf Azhar, Special Prosecutor, ANF

ORDER

Muhammad Iqbal Kalhoro, J:- Applicant is seeking post arrest bail in a case bearing Crime No.33/2022, u/s 6/9-C, 14, 15 CNS, Act, 1997, registered at Police Station ANF Clifton, Karachi, by means of this application.

2. Applicant was arrested by the Anti-Narcotics Force (**ANF**) from Yousuf Goth Bus Terminal, Karachi on spy information on 22.09.2022 and from him 33.600 kilograms of charas was recovered. Hence, he was booked in the present case.

3. Applicant's counsel has pleaded for bail on the grounds of delay in conclusion of the trial; non-compliance of section 103 Cr.PC; certain discrepancies in FIR, such as absence of customer, although hinted in FIR as a reason of presence of applicant at the place of incident; arrest of the applicant from bus terminal without a ticket; and non-recording of the incident on video. Learned counsel in support of her arguments, has relied upon the case laws reported in **2024 SCMR 934**, **2025 SCMR 721**, and **2026 MLD 154**.

4. Learned Special Prosecutor, ANF has opposed this bail application.

5. We have considered arguments advanced by learned counsel and are of the view that applicant is not entitled to concession of bail, as a huge quantity of narcotics i.e. 33.600 kilograms was allegedly recovered from him. There is nothing on record to show that ANF has any enmity or ill-will with the applicant to falsely implicate him in a case involving such a huge quantity of narcotics. This case was registered by the ANF in the year 2022, when there was no directions, or policy were issued by the superior Courts to video record the incident. Even otherwise, absence of video recording

per se would not make the case of huge quantity of narcotics bailable or entitle the applicant to grant of bail.

6. The only ground, which seems to be favouring the applicant a little bit is the delay in concluding the trial. Although, learned Special Prosecutor, ANF has tried to explain the delay by referring to transfer of the witnesses from Karachi Zone to some other Zone. But it can hardly be taken a valid justification for the delay. Therefore, while dismissing the bail application, we direct the trial Court to expedite the trial and examine the witnesses as soon as possible. The case shall be fixed once a week, and preferably, shall be concluded in three months. Such compliance report shall be submitted through MIT-II of this Court.

7. Bail application stands disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

Rafiq/PA.