

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Cr. Acct. Appeal No.06 of 2025
(Amanullah **vs.** The State through Chairman, NAB)

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Khalid Hussain Shahani

Date of hearing
and of order : **22.10.2026**

Ms. Uroosha Memon, advocate for applicant
M/s. Syed Khurram Kamal and Saeeda Khurshid, Special Prosecutor,
NAB a/w Sarwan Ahmed Deputy Director, IO, NAB

O R D E R

Muhammad Iqbal Kalhoro, J:- Applicant claims to be owner of 11 acres of land situated in the old revenue Estate of Deh Bitti Amri, Tapo Songal, Scheme-33, District East, Karachi. This land is a part of 65 acres in NA Na-Class (N.C.) numbers: Na-Class (N.C.) No.5 (16-00 acres), N.C. No.76(16-00 acres), N.C. No.77 (16-00 acres), N.C. No.97(08-00 acres) and N.C. No.58 (09-00 acres). He has challenged the order dated 23.10.2025 passed by the NAB Court, whereby, it has confirmed the freezing order in respect of the said land (65 acres) passed by the Director General, NAB, Karachi, on account of pending investigation into allegation of commission of corruption and corrupt practices.

2. The essence of such allegations is manipulation in the record of rights leading to fabrication of relevant entries creating ownership of the said land (which is claimed to be government land), in favour of Dawood S/o Choto initially. The applicant is purportedly the third owner of the said piece of land, having acquired it from one Faqeer Mohammad.

3. The grounds as articulated by learned counsel in support of the applicant's case are that the impugned order is *coram non judice*; the applicant is neither an accused in the investigation, nor is any dispute in regard to his ownership of the land pending before any forum; the applicant is a bonafide purchaser, who possess all the necessary documents to prove his ownership. The freezing order is ultra vires section 12 of the NAO, as no cogent reason has been assigned by the DG, NAB Karachi in the freezing order, and which has wrongly been confirmed by the NAB Court.

4. On the other hand, learned Special Prosecutor, NAB and the Investigating Officer (IO), both have opposed this appeal. The IO submits

that the applicant's entitlement of the land is doubtful, as the original/mother entry in the record of rights has been found fake and illegal in the inquiry. Applicant is relying only a general power of attorney, without any other documents of the land to prove its ownership, hence, his own status as a bonafide purchaser is not without a question. Despite pending investigation over the land, the applicant knowingly has further leased out the property in the shape of small plots to different people, thereby committing the offence of cheating and defrauding the public at large. However, it is urged by both of them that still the investigation is going on and in the event the applicant is found a bonafide purchaser, a relief under the relevant law would be provided to him.

5. We have considered submissions of the parties. The record reflects that the piece of land applicant claims to be owner is situated in NA-class numbers, where he has allegedly started a housing scheme. NAB got alarmed and initiated an inquiry on finding that the mother entry No.1, dated 26.08.1968, was fake and fabricated. It appears that in the enquiry the NAB found some credible evidence in this regard and on the basis of which has upgraded the enquiry into investigation since. Among others, the NAB found it strange that without survey, how a piece of land was identified and possessed in the Na-Class land, which is government land.

6. Be that as it may, what has concerned us most, besides seriousness of accusation, is the time taken by NAB to conclude the investigation. The investigation in this matter started admittedly in the year 2018. Yet, it has not been completed and resulted into a reference or otherwise. The impugned order shows that the freezing order was confirmed by the NAB Court, and at the same time it had directed the NAB to conclude investigation within one month. This order was passed on 23.10.2025 and since then exactly one year has passed.

7. During the arguments, learned Special Prosecutor, NAB and IO both have sought time of four months to conclude the investigation and then either to file a reference, if sufficient evidence is found, or close it. This request for further four months, we find strange, because after being directed by the trial Court to do so in one month and lapse of one year since, the IO is still asking for further time.

8. In these circumstances, we do not accept the request of IO and learned Special Prosecutor, NAB, and instead of four months, we grant only two months' time to IO to conclude the investigation and submit the

reference or otherwise. If on the expiry of two months, no progress is made, the applicant would be at liberty to file a fresh application before the NAB Court, which has passed the impugned order for a fresh decision in the light of new developments in the matter.

9. This window of opportunity is being given to NAB reluctantly only in consideration of the fact that in the report filed today, they have shown apprehension that if during the investigation the freezing order is lifted, the applicant may alienate the property and create multiple titles over it, which may hamper the investigation.

10. With these observations, we dismiss this appeal.

This Criminal Appeal stands disposed of in above terms.

JUDGE

JUDGE

Rafiq/PA.