

IN THE HIGH COURT OF SINDH, KARACHI

Cr. Rev. Application No.111 of 2026

Present:

Mr. Justice Muhammad Iqbal Kalhoro

Mr. Justice Jawad Akbar Sarwana

Applicant:- Muhammad Zubair is present in person.

Respondent:- The State through Mr. Muhammad Ali Noonari,
Deputy Prosecutor General a/w
Inspector Jamshed Khan of PS Samanabad, Karachi.

Date of hearing:- 26.10.2026

O R D E R

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MUHAMMAD IQBAL KALHORO J: Applicant claims to be owner of a car bearing No.BMP-549, Honda civil Chassis No.NFBFC6663JR034781, Engine No.R18Z12931360, Model 2018 and seeks its release.

2. The case history shows that this car was used apparently in Crime No.101/2024, u/s 365-A, 392, 109, 34 PPC read with section 7 ATA, 1997 in abduction of two kids namely Mohammad Abdullah and Mohammad Ibrahim, in which, six accused were found involved.

3. Applicant during pendency of the trial had filed an application u/s 516-A CrPC for restitution of his vehicle which was allowed by the trial Court through impugned order dated 24.05.2024 but with one condition requiring him to furnish a surety of Rs.45,00,000/-. The applicant could not furnish the surety; hence, his vehicle was not released.

4. Finally, the case has been decided vide judgment dated 15.01.2025 by Anti-Terrorism Court No.IX, Karachi. Accused Mohammad Sami @ Saim and Mohammad Sultan @ Sonu have been convicted whereas four accused namely Usama, Hamdan, Hamad and Wajahat have been acquitted.

5. Learned trial Court has also passed the order in respect of the case property u/s517 CrPC. The order shows that the pistols used in the crime have been ordered to be deposited in the office of firearm Bureau after expiry of appeal period. While the used car, the applicant claims to be owner of, has been ordered to be released to its owner after expiry of appeal period.

6. Learned DPG had confirmed that in respect of the case property i.e. the car no appeal has been filed by the prosecution. Although, the convicts have filed the appeals against their conviction and sentence, but it is not in respect of the car.

7. As far as, in the appeal(s) against the conviction and sentence of the accused is concerned, the presence of car used in the crime without knowledge of owner is not required in the Court. Therefore, we allow this application and direct the trial Court to release the car to the applicant on due verification and identification against a valid receipt and execution of a personal bond.

The Cr. Revision Application is accordingly disposed of.

JUDGE

JUDGE

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