

IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail Application No.1276 of 2026

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

Applicant:- Saleh Mohammad @ Sallu through
M/s. Azra Hameedi and Ghulam Fareed Baloch,
advocates.

Respondent:- The State through Mr. Muhammad Noonari,
Deputy Prosecutor General a/w Inspector Arif
and SIP Khalid Banghash of PS Pak Colony, Karachi.

Date of hearing:- 20.08.2026

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MUHAMMAD IQBAL KALHORO J: Applicant and 13 others accused duly named in FIR after an encounter with the police regarding which a separate FIR was registered against them were arrested on 19.05.2025. From each one of them different quantity of narcotics was recovered. The total weight of narcotics recovered is allegedly more than 40 Kgs. From applicant Saleh Mohammad @ Sallu 3.7 Kgs of charas was recovered. Hence, he along with others accused was booked in the present case.

2. Applicant's counsel have pleaded for bail on the ground of statutory delay and the fact that previously directions were issued in bail application Nos.2403 and 2404 of 2025 filed by some other accused, yet nothing happened during the trial and the case is still pending; they further argued that relatively small quantity of narcotics was recovered from the applicant; hence, he is entitled to bail.

3. Learned Deputy Prosecutor General has opposed bail stating that huge quantity of narcotics has been recovered from the applicant.

4. We have considered submissions and are of the view that at this stage individual liability in terms of quantity of narcotics recovered from applicant cannot be made a benchmark for a consideration u/s 497 CrPC. All the accused were present at the same place, at the same time and had indulged in firing upon the police. They were arrested jointly under the same mashirnama and allegedly from each one of them some

narcotics was recovered. Therefore, along with their individual liability, their joint liability of the narcotics, recovered in total, and its conscious possession by them cannot be ruled out. Therefore, we do not find the applicant entitled to concession of bail and hence dismiss this bail application and direct the trial court to examine the material witnesses without fail within a period of three months and submit compliance report, after which, the applicant would be at liberty to move the bail application for a fresh consideration.

5. The Bail Application is disposed of accordingly. The observations herein above are tentative in nature and shall not affect the case of either party on merits before the trial Court.

JUDGE

JUDGE

HANIF