

IN THE HIGH COURT OF SINDH AT KARACHI

Crl. Bail Applications No. 2526 of 2026

Before:
Justice Zafar Ahmed Rajput (CJ)
Justice Jan Ali Junejo

Applicant : Tariq Hussain Shah s/o Syed Ahmed Shah,
through Mr. Muhammad Qasim, Advocate.

Respondent : The State, through Mr. Abrar Ali Khichi,
Addl. Prosecutor General, Sindh, **(Addl. PG)** along with PI-Moinuddin Chisti of
AVCC and Complainant.

Dates of hearing : 24.08.2026

Date of order : 24.08.2026

ORDER

ZAFAR AHMED RAJPUT, C J.- Having been rejected his earlier application for grant of post-arrest bail, vide order dated 11.02.2026, passed by the Anti-Terrorism Court No. V, Karachi, in Crl. Bail Application No. 41 (XII) of 2025, filed in Special Case No. 115 of 2025, the Applicant, Tariq Hussain Shah, through the instant Crl. Bail Application seeks the same relief from this Court.

2. Briefly stated the facts of the case, as narrated in the FIR, are that on 27.12.2024, complainant Muhammad Arsalan lodged the aforesaid FIR, alleging therein that he dealt in cryptocurrency; that 15/20 days back, one Hammad had called him through Cell No. 0332-3514081 for purchasing US dollars, whereupon he told him that he did not deal in buying or selling US dollars but he continued contacting him; that he also contacted him through his friend Zohaib; that on 24.12.2024 at 10:00 p.m., three persons came to his office and introduced themselves as (1) Muzammil, (2) Hammad and the third person's name he could not remember; that he told

them that he would arrange dollars for them through his friend, on that, they made a video from his cell phone and sent to someone and demanded US\$ 30,000/- but avoided making any payment; that after passing 45 minutes, they told him that one Ashar would come and pay the amount; after that, they went to "*Baithak Hotel*" in Saima Arabian Villas where, on 25.12.2024 at 01:00 a.m., (1) Aashar (2) Muzammil and (3) Zaman came in Alto car and when he asked Aashar for payment, he avoided responding; then at about 01:40 a.m. a police mobile, without number, came there in which five persons in plain dress took him and Aashar to FIA office where, on the force of weapon, they logged into his Binance Account through his cell phone and transferred US\$ 340,000/- from his Binance Account into different accounts and also took out all the money from his pocket; that they threw him at Quaid-e-Azam Mazar and went away.

3. After hearing the learned counsel for the Applicant as well as learned Addl. PG and perusing the material available on record, it appears that the name of the Applicant does not transpire in the FIR. Allegation against him is that he was one of the five persons, who took the complainant in a police mobile to FIA office. He was arrested on 03.01.2025 and he was identified by the complainant in identification test conducted on 11.01.2025. No reason has been assigned for conducting identification test belatedly. Admittedly, he has not received any share from ransom amount. It further appears that co-accused Syed Ibad Ashraf, Syed Muzamil Raza and Umar Jilani, have been admitted to bail vide orders dated 08.10.2025, 15.10.2025 and 21.05.2026, respectively; co-accused Muhammad Ahtisham-ul-Haq, whose Binance Account was allegedly

used in transfer of US\$, has been admitted to bail vide order dated 11.02.2026. Besides, co-accused Muhammad Rashid Ali Khan, Muhammad Umer and Noman Rafar have also been admitted to bail. The case of the Applicant for grant of bail appears to be either on the same or better footings.

4. Another aspect of the case is that the applicant is confined in Judicial custody since 03.01.2025. The I.O has submitted interim charge-sheet before the Trial Court by stating that the investigation of the case has not concluded, and he sought adjournment under section 344, CrPC to conclude the investigation. He failed to complete his investigation and submit final charge-sheet within reasonable time. Consequently, the Trial Court could not frame the charge against the accused persons till date. As such, the applicant is confined in judicial custody without trial for the last more than sixteen months.

5. It goes without saying that an accused has a right to a speedy trial, and he cannot be kept behind the bars for an indefinite period without trial. The right to a speedy trial protects individuals from being held in jail for extended periods, sometimes for years, without trial. It is a fundamental right that is integral to a fair trial and due process. It aims to bring the accused to justice as soon as possible, so that a guilty person can be punished and an innocent person can be acquitted. Speedy trial of an accused is a fundamental legal principle aimed at preventing prolonged incarceration and ensuring justice. This right is recognized in many legal systems and is intended to protect individuals from unnecessary delay in concluding their cases. In Pakistan, a speedy trial is a fundamental right of

an accused person, anchored in Article 10A of the Constitution of the Islamic Republic of Pakistan, 1973, which guarantees the right to a fair and due process.

6. For the foregoing facts and reasons, instant Application is allowed by admitting the applicant to post-arrest bail, subject to his furnishing solvent surety in the sum of Rs. 3,00,000/- (Rupees three lac only) and P.R. Bond in the like amount to the satisfaction of Trial Court.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the Trial Court while deciding the case of the Applicant/accused on merits. In case the accused, tries to misuse the concession of bail in any manner, it would be open for the Trial Court to cancel his bail after issuing him the requisite notice.

CHEIF JUSTICE

JUDGE

Tehseen/PS