

IN THE HIGH COURT OF SINDH, KARACHI

Cr. Misc. Application No.722 of 2025

Present:

Mr. Justice Muhammad Iqbal Kalhoro

Mr. Justice Khalid Hussain Shahani

1.For orders on MA No.114322/2025

2.For hg of case

Applicant:- Muhammad Shoaib Baig through Syed Mehtab Ali,
advocate.

Respondent:- Learned Special Judge (CNS-I) and another
through Mr. Musharraf Azhar, Special Prosecutor,
ANF.

Date of hearing:- 11.09.2026

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MUHAMMAD IQBAL KALHORO J: This application impugns an order dated 30.07.2025, whereby application filed by applicant for restoration of possession of Vehicle i.e. Suzuki Alto Car bearing registration No.BUB-961 of white color involved in Crime No./16/2025 u/s 6/9(1)(e) 14, 15 of CNS Act, 1997 (Amended Act 2022), registered at PS ANF Gulshan-e-Iqbal, Karachi, was dismissed.

2. Brief facts of the case show that on 16.06.2025, on spy information, Sub-Inspector Muhammad Shah of PS ANF Gulshan-e-Iqbal, Karachi had stopped the subject vehicle traveled in by two accused namely Raza Khan and Ahsanullah. They both were booked in the present case when from the backseat of the vehicle 18 Kg of charas was recovered besides 36 Kg of charas which was found in another car viz. ambulance travelling with the present car.

3. Applicant filed an application before the trial Court seeking release of subject vehicle on superdari on the ground that he was running a business of rent a car and had given the car on rent, he had no knowledge of the offence and, therefore in terms of section 32 of CNS

Act 1997, he was entitled to its restoration till conclusion of the trial and final order.

4. Learned Special Prosecutor ANF has opposed but submits that there is *prima facie* no evidence connecting the applicant with the crime or that he had any knowledge of it.

5. We, therefore, since applicant is neither accused, nor there is any evidence that he was in knowledge of the offence being committed in his car, see no impediment legal or otherwise in allowing this application. Consequently, the application is allowed. The subject vehicle i.e. Suzuki Alto Car bearing registration No.BUB-961 is released on superdari to the applicant with the condition that he should furnish a solvent surety of Rs.500,000/- before the trial Court with further direction that he should produce the vehicle on each and every date of hearing before the trial Court for the purpose of completion of trial. This order however shall be subject to final order to be passed by the trial Court by way of judgment.

The application is accordingly disposed of along with pending application.

JUDGE

JUDGE

HANIF