

IN THE HIGH COURT OF SINDH AT KARACHI

Constitution Petition No. D-2146 of 2026

(Muhammad Asghar Ali v. The State, through DG NAB Sindh and another)

Present:

Mr. Justice Muhammad Saleem Jessar
Mr. Justice Abdul Hamid Bhurgri

Petitioner : Through Barrister Syed Shahbal Ali, Advocate

Respondents : Through Syed Manzoor Ali and Ms. Sadaf,
Special Prosecutors, NAB, Karachi alongwith
Mr. Waliullah, Deputy Director, NAB, Karachi

Date of hearing : 21.08.2026
and order

ORDER

Muhammad Saleem Jessar, J.- Through this petition, petitioner has assailed the order dated 02.04.2026 passed by the learned Accountability Court No.V, Sindh, Karachi, in Reference No.15 of 2017 (Re: *State v. Shahzar Shahmoon and others*), whereby the learned trial Court returned the Reference to the NAB authorities on the point of jurisdiction, as well as evaluation of the material available on record, for its disposal.

2. Pursuant to the aforesaid order, correspondence was made with the Chairman, NAB, in terms of Section 31-B(2) of the National Accountability Ordinance, 1999, seeking approval for withdrawal of the Reference. Accordingly, the Chairman, NAB, upon examination of the record, approved withdrawal of the proceedings.

3. Today, Syed Manzoor Ali, learned Special Prosecutor, NAB, Karachi, has filed a copy of letter No.3-2(1)(33)/K/MW-II/NAB HQ/2015 dated 23.06.2026, issued by the Director General, Operations Division, NAB,

under the cover of his statement dated 21.08.2026. The same is taken on record and a copy thereof is handed over to the learned counsel for the petitioner.

4. Learned counsel for the petitioner, after going through the aforesaid documents, expresses his satisfaction and seeks disposal of instant petition in view of the aforesaid letter dated 23.06.2026.

5. Before parting with the order, it would be appropriate to reproduce paragraphs 2 and 3 of the conclusion of the aforesaid letter, which read as under:-

“2. Based on the recommendations of NAB (K) and the 433rd Executive Board Meeting held on 11th June 2026, the Chairman has approved withdrawal of pending proceedings in terms of Section 31-B(1) of NAO, 1999 and consequently termination thereof. The decision of the EBM is as under: -

"DG (Ops) provided the details of the case and apprised that instant Reference was filed on the allegations of misuse of authority, however, the same has been returned by Accountability Court for want of jurisdiction. The Executive Board recommended withdrawal of pending proceedings in terms of Section 31-B(1) of NAO, 1999 and consequently termination thereof, which was approved by the Chairman."

3. The withdrawal/termination of pending proceedings in terms of Section 31-B(1) of NAO, 1999 and consequently termination thereof only relates to the allegations mentioned above. However, it will not affect any other case, if already under Investigation and shall not prevent initiating any new case under the Ordinance."

6. Accordingly, in view of the above as well as the mutual consent of the parties, instant petition is **disposed of** along with pending application(s), if any.

Judge
Head of Const. Benches

Judge