

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

Cr. Rev. Appl. No. D- 101 of 2014

DATE

ORDER WITH SIGNATURE OF JUDGE

19.01.2016

1. For Katcha Peshi
2. For Hearing of MA 3334/14

Mr. Amjad Ali Sehto, Special Prosecutor ANF for applicant

Learned counsel states that under the wrong assumptions application under Section 517 Cr.P.C. was filed by SHO ANF Hyderabad for confiscation of the 'Bus' after conviction of the accused. He states that learned Additional Sessions Judge, Hyderabad was not properly assisted and without adverting to the scheme provided under CNS Act, 1997 this application was dismissed. Learned counsel has referred to Section 32 and 33 of CNS Act to establish his point. He further states that if the applicant is allowed to file the application for the said purpose in terms of the above provisions of law, he will be satisfied and will not press this application. We have seen the impugned order, learned trial court has not adverted to the relevant provisions of law while deciding the application. In these circumstances, we set-aside the impugned order and allow the applicant to file the proper application before the trial court, that shall be strictly dealt with in accordance with law.

This application stand disposed of.

JUDGE

JUDGE