

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

Criminal Revision Application No.D-14 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE (S)
	1. For orders on office objections.
	2. For hearing of main case.
	3. For hearing of M.A. No.10898/2024.

13.03.2025

Mr. Ishrat Ali Lohar, Advocate for applicant.
Mr. Shaharyar Shar, Special Prosecutor ANF.
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The instant revision application has been filed against the order passed by learned Model Criminal Trial Court-I/1st Additional Sessions Judge/Special Judge, CNS Hyderabad in Special Case No.216 of 2024. The grievance of the applicant is that quadruplicate copy of the Chemical Examiner’s Report has not been supplied to the accused. Rule 6 (1)(3) of the Control of Narcotic Substance (Government Analyst) Rules 2001 provides as under:

“S. 6. Report of Result of test or analysis. (1) *The Government Analyst to who a sample of any narcotic drug, psychotropic substance or controlled substance has been submitted for test or analysis under section 36 of the Act shall deliver a signed report in quadruplicate of the Result of the Test and analysis, while observing protocols of the test or analysis applied after keeping one copy in the record under sub-rule (2) of RULE 5 and three copies of the report shall be supplied as early as possible to the sender of the samples for further distribution as follow:-*

(i). *one copy of the report be placed in Police File;*
(ii). *One copy of the report be submitted in the Trial Court for production as evidence; and*
(iii). *One copy of the report be supplied to the accused through concerned court.”*

It is claimed by the learned counsel for applicant that Report to the accused has not been supplied. On the contrary, the record reveals that application dated 04.09.2024 was moved by the applicant to the learned Judge however, vide order dated 30.09.2024, the same was disposed of in the terms that photocopy of the Report has already been provided to the accused. During course of arguments before us, the learned counsel has repeatedly pleaded that no copy has been supplied to him. Be that as it may, the learned Special Prosecutor ANF states that although copy was supplied which has been correctly recorded in the said order, however without prejudice to the merits of the case and rights of the respective parties, he can again supply a photocopy of the Report to the accused. Such exercise would be conducted, without prejudice to the rights of the either of the parties and without disturbing the proceedings before the learned Trial Court. Consequently, the instant Criminal Revision Application stands disposed of in above terms.

JUDGE

JUDGE