

IN THE HIGH COURT OF SINDH KARACHI

CR. BAIL APPLICATION NO.1575 OF 2026

Applicant : Abdul Rehman
Through Mr. Iqbal Shah, Advocate

Respondent : The State
through Mr. Muhammad Ahmed,
Assistant Attorney General for
Federation of Pakistan

Date of hearing : 30.06.2026

Date of Reasons : 06.08.2026

ORDER

Omar Sial, J.: Applicant Abdul Rehman seeks post-arrest bail in Crime No. 20 of 2026 registered under Sections 4, 5, 23 FER Act, 1947 (amended 2020) read with Section 109 PPC at Police Station Commercial Banking Circle, Karachi. Earlier, the learned Sessions Judge, Karachi West, dismissed his bail application vide Order dated 30.04.2026.

2. The case against the Applicant is that on 19.03.2026 at about 2200 hours during routine patrolling within the jurisdiction of PS Mochko, Karachi, a police party of P.S. Mochko headed by ASI Ayaz Ali Balouch, intercepted a local bus which was carrying passengers from Hub to Karachi, during personal search of an individual suspect/passenger who disclosed his name as Abdul Rehman, one mobile phone, cash PKR.3,260/- and a substantial quantity of foreign Iranian currency totaling 289 crores in various denominations, were recovered and on inquiry regarding the possession of the recovered Iranian currency he failed to provide any satisfactory or lawful explanation for its possession. The recovered items and currency were taken into police custody under a mashirnama of arrest and recovery at the spot in the presence of official witnesses. The accused, along with the recovered articles, was brought to PS Mochko; however, since the matter pertains to offenses under the

Foreign Exchange Regulations, the matter was referred to PS FIA CBC, Karachi. During interrogation, the accused admitted his involvement in the unauthorized and illegal business of hawala/hundi; as such, he was challaned in a case under Sections 4, 5, and 23 of the Foreign Exchange Regulation Act, 1947 (Amended 2020), read with Section 109 PPC.

3. I have heard the learned counsel for the applicant and the learned Assistant Attorney General. My observations and findings are as follows.

4. Learned counsel says the applicant has nothing to do with the money seized in this raid and is innocent. As an indication that they have nothing to do with the money, their counsel has said so in writing. There is no other claimant. The seized money is forfeited and should be made available to the appropriate Government (Federal or Provincial) for immediate use.

5. The sentence for the offense for which the applicant is charged carries a potential imprisonment of up to five years and thus falls within the non-prohibitory clause of section 497 Cr.P.C. I do not see any exceptional or extraordinary reason to deny him bail, especially when the money seized has been confiscated. It is also yet to be determined at trial whether the ingredients of section 4 or 5 of the Foreign Exchange Regulations Act, 1947 are satisfied. The money is now gone and can be used by the Government immediately. If the money was the applicant's, then the financial loss they suffer would be a far greater deterrent than a year or two in prison. If the money is not theirs as they say, then that supports the theory that they are mere cogs in a wheel which somebody powerful oils, operates, and rotates. Of course, this is the bail stage, and a final conclusion on whether or not the applicants are guilty and what an appropriate punishment would be is the domain of the learned trial court. At the moment, no benefit will be gained by keeping them in jail. In fact, keeping them incarcerated would be a greater financial burden for the State. Life in prison and

commuting to court do not come for free. The applicants do not seem to be dangerous to the community and society.

6. These are the reasons of short order dated 30.06.2026.

JUDGE

Amjad PS