IN THE HIGH COURT OF SINDH, KARACHI

Cr. Bail Application No.3442 of 2026

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Jawad Akbar Sarwana

Applicant:- Atiq-ur-Rehman through Mr. Mohsin Ali Rahimoon, advocate.

Respondent:- The State through Mr. Musharraf Azhar, Special Prosecutor, ANF a/w Inspector Arif Lodhi of PS ANF, Gulshan-e-Iqbal, Karachi.

Date of hearing:- 13.11.2026

O R D E R

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MUHAMMAD IQBAL KALHORO J: Applicant was arrested by Anti-Narcotics Force headed by Sub-Inspector Jahangir on 16.03.2026 from Burki Trade Center, Main Super Highway M-9, Karachi when from him 1.100 Kg. of Weed was recovered. Hence, he was booked in the present case.

2. Applicant's counsel has pleaded bail on the ground that applicant is minor and word "weed" has not been defined in law. In the order passed by this Court in Cr. Bail Application No.1914/2026 [Iftikhar Hussain v. The State], specific directions were given to Law Enforcement Agencies to not use word "weed". Still the same expression has been used in this case.

3. Learned Special Prosecutor ANF has tried to relate word "weed" with cannabis (*bhung)* but still it appears that nothing is clear. Even the Chemical Examiner's report does not specifically certify identity of weed and it has simply been identified by him with all the substances defined in section 2 of CNS Act, 1997.

4. Apart from that, the applicant is a juvenile, as determined in the ossification report available in police papers, which shows that he is less

than 18 years. According to section 6(5) of Juvenile Justice System Act, 2018, a juvenile who has remained in jail for more than six months in any offence and his case has not been completed and the delay is not on his part, he becomes entitled for concession of bail. In this regard, learned defence counsel has made a reference to the case of MEHRAN V. UBAID ULLAND and others (PLD 2024 SC 843).

5. We, therefore, are of a view that not only the applicant's case requires further inquiry for want of identity of weed recovered from him but in terms of section 6(5) of Juvenile Justice system Act, 2018 he is entitled to bail. Accordingly, this application is allowed and applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.50,000/- and PR bond in the like amount to the satisfaction of the trial court.

6. The Bail Application is disposed of accordingly. The observations herein above are tentative in nature and shall not affect the case of either party on merits before the trial Court.

JUDGE

JUDGE

HANIF