

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**Crl. Appeal No.269 / 2006**

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Date Order with signature of Judge  
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For hearing of M.A No.5288/2016

For hearing of M.A No.3458/2008

For hearing of case

**26.08.2016**

None present for the appellant.

Ms. Seema Zaidi, A.P.G.

Mr. Faisal Abdullah, SSP (East) Karachi.

Inspector Khushnud, IC. Legal SSP East, present.

Safdar Mishwani, SHO Gulshan-e-Iqbal, Karachi.

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SSP (East) Karachi has filed compliance report which shows all efforts made by him to arrest the absconding accused who is guilty of human trafficking has been frustrated by the various department of the Government by refusing to reply any of the queries made by the SSP (East) Karachi in writing. The report is taken on record. Since **06.6.2006** the Ministry of Interior has failed to issue red warrant despite the fact that the order of issuing red warrant has been passed by this Court. Since it has come on record that absconding accused has gone out of country despite the fact his passport was confiscated in 2002 when FIR was registered. The report of SSP further suggests that the absconding appellant was also booked by FIA in similar case in 2002 in **crime No.54/2002** under Section 6(i) (a)(f) Passport Act R/w 420/468/471 PPC R/w 5(ii) A.C.A by Anti Human Trafficking Cell. Such FIR was double check on the movement of the accused even after he got bail. Therefore, FIA was also supposed to have obtained the record of passport and other traveling documents of the appellant. SSP has sent a letter to Addl. Director Anti Human Trafficking Cell, FIA on **14.6.2016** to collect information about the status of case registered by Anti Human Trafficking Cell to place the same on record of this Court. Since the accused is common in both the FIRs the Addl. Director Anti Human Trafficking Cell FIA should have replied to the letter from SSP East. Not only the FIA has failed to cooperate with police, even NADRA office has refused to reply the query made by the SSP (East) Karachi about the status and particulars of the CNIC issued to the absconding accused sometime in 2008. The Regional Head NADRA has not replied letter from the office of SSP and its reminder dated **17.8.2016**. Similar is the position with the passport office rather it is more dismal. The

passport office in response to the query made by the SSP by letter dated **22.8.2016**, through Assistant Director (South) Karachi has reported that absconding accused has obtained passport No.**AE 4904311** dated **21.3.2008** from Muzafarabad and they have no data since after five years they deleted / weeded out data from their record. Such statement on the face of it is strange. Since after expiry of passport, new passport is supposed to be issued on the basis of previous record available in the passport office and all previous passports are supposed to be tagged with the new passport. Every new passport carries number of previous passport. On confiscation of his passport, the particular of confiscated passport should have been brought to the notice of passport office and yet the absconder managed to obtain new passport and now CNIC with the same name and details. Even FIA authorities at the airport had not checked the movement of accused involved in human trafficking despite the FIA has registered a against the accused by them. It means, the appellant is not absconder in this appeal alone but he is also absconding from the Court trying the case registered by FIA as crime No.54/2002.

It appears that every hand in all the relevant departments were helping out the accused of human trafficking in running away from the country pending criminal cases. Be that as it may, I have gone through the letters written by the SSP, in each of the letter, he has specifically informed the concerned authorities that he has to place such information before this Court. Thus the failure of the Government agencies to reply letters of the SSP which he has written on the instructions of the High Court is in fact an attempt to willfully ignore / disobey the directions of High Court. Issue show cause notice to Addl. Director Anti Human Trafficking Cell Karachi, Director Passport Cell Karachi and Regional Head NADRA to be present in Court on **01.9.2016** with record and replied to all the letters received in their respective offices from the office of SSP (East) Karachi pursuant to the various orders of this Court.

Copy of this order be faxed in the offices concerned today. Also send it through bailiffs. The SSP (East) Karachi should be present on the next date i.e 01.9.2016.

JUDGE

