



acquittal an application under Section 249-A Cr.P.C. in Special Case No.28/2012 was filed in the trial court, which was dismissed by the Special Judge, Anti-Corruption (Provincial), Karachi vide order dated 31.8.2016. The Court considered the application premature for the reason that the contempt application is pending in this court. Against this order, Criminal Misc. Application No.153/2016 has been filed in this court, which is also pending. The learned counsel for petitioners submits that since interim challan has been considered final charge sheet by the trial court, therefore, he does not want to press this contempt application, however, he wants to be allowed to move application under Section 249-A Cr.P.C. for acquittal in the trial court so that the same may be decided in accordance with law on merits.

3. Learned counsel for KMC also requests that since this contempt application has not been pressed by the petitioners' counsel, so he also wants to move fresh application in the trial court for the acquittal, as the earlier one was disposed of on technical grounds rather than on merits. Learned AAG has no objection. The contempt application is disposed of accordingly, however, the petitioners and official respondents, if they have been nominated in the FIR, they may move application under Section 249-A Cr.P.C. in the trial court and it is expected that if any such application is moved, the same shall be disposed of within one month on merits, obviously now no contempt application is pending in this court, so the trial court shall have no difficulty to embark upon the merits of the case and decide the application if filed under Section 249-A Cr.P.C. on merits.

Judge

asim/pa

Judge