

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

Criminal Revision Application No. S-08 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objections  
For hearing of main case

23.02.2021.

Mr. Faisal Ali Raza Bhatti, advocate for  
applicant.

Mr. Shawak Rathor, D.P.G for State.

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The facts in brief necessary for disposal of instant Revision Application are that the truck owned by the applicant was used for transporting Gutka and Mainpuri, for that a case was registered by the police. The applicant sought for its custody on Superdari by making an application u/s 516-A Cr.P.C, it was dismissed by learned IInd Additional Sessions Judge, Badin vide his order dated 13.01.2021, which is impugned by the applicant before this Court by way of instant Criminal Revision Application.

2. It is contended by learned counsel for the applicant that the applicant is lawful owner of subject truck, if its custody on Superdari is not allowed in his favour, then it would lost its use and utility. By contending so, he sought for setting aside of impugned order with direction to learned trial Court to

restore the subject truck in favour of the applicant on Superdari.

3. Learned D.P.G for the State has sought for dismissal of instant Criminal Revision application by contending that it has been used in commission of incident.

4. I have considered the above arguments and perused the record.

5. Admittedly, the applicant is lawful owner of the subject truck; therefore, he could not be denied its use and utility under any circumstances, most particularly when investigation of the case in which it is involved is over. In these circumstances, the impugned order is set-aside with direction to learned trial Court to restore the custody of subject truck in favour of applicant on Superdari subject to his furnishing security in sum of rupees one lac and PR bond in the like amount to its satisfaction.

6. The instant Revision Application is disposed of accordingly.

JUDGE

Ahmed/Pa.