

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Criminal Revision Application No. S-63 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on MA-1792/2021
For orders on MA-500/2021
For orders on MA-8114/2021

08.03.2021.

Syed Shafique Ahmed Shah, advocate for the
applicant.

Ms. Rameshan Oad, A.P.G for the State

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1. Urgency granted.

2&3. Dismissed as infructuous.

The applicant by way of instant Criminal Revision Application has impugned an order dated 22.08.2020, whereby his application u/s 561-A Cr.P.C for custody of the Car on superdari was dismissed by learned Sessions Judge, Tando Muhammad Khan by making an observation that it has been found containing material to be used for preparation of Mainpuries.

2. It is contended by learned counsel for the applicant that the investigation of the case is over; therefore, the applicant being owner of the subject Car could not be denied its custody on Superdari. By contending so, he sought for setting aside of impugned order with direction to learned trial Court to restore

the subject Car in favour of the applicant on Superdari subject to furnishing requisite security.

3. Learned A.P.G for the State has sought for dismissal of instant Criminal Revision application by contending that it is used for commission of incident, which is affecting the society at large.

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

5. The applicant is lawful owner of the subject Car. It is no more required by the police for further investigation. No useful purpose would be served, if the applicant is denied custody of the Car on superdari pending disposal of the case; therefore, the impugned order is set-aside with direction to learned trial Court to restore the custody of subject Car to the applicant on superdari subject to his furnishing security in sum of Rs.100,000/-and PR bond in the like amount to its satisfaction.

The instant Criminal Revision Application is disposed of accordingly.

JUDGE

Ahmed/Pa.