

IN THE HIGH COURT OF SINDH AT KARACHI

**C.P Nos.D-2754, D-2755, D-2756, D-2753, 2757, D-2750,
D-2758, D-2759, D-2751, D-2762, D-2760,
D-2749, D-2761, D-2764 and D-2752 of 2013**

Present:

**Mr. Justice Muhammad Junaid Ghaffar
Mr. Justice Muhammad Humayon Khan**

Dated: 17.5.2017

Mr. Yasir Siddique, Special Prosecutor NAB alongwith Hamad Qamar, I.O. NAB.

Mr. Khawaja Naveed, Advocate alongwith Ms. Afsheen, Advocate for Respondents in C.P Nos.D-2754/2013, D-2756/2013, D-2755/2013, D-2757/2013, D-2758/2013 , D-2758/2013 & D-2759/2013.

Mr. Ch. Abdul Rasheed, Advocate alongwith Respondent Muhammad Rafique in C.P No.D-2753/2013.

Mr. Osman Hadi for Respondent in C.P.No.D-2764/2013

Mr. Munir Ahmed Malik, Advocate alongwith Respondent Ahmed Hussain Jeewani in C.P No.D-2750/2013.

Mr. Abdul Hafeez, Advocate for Respondent in C.P Nos.D-2760/2013, D-2761/2013 & D-2752/2013.

ORDER

Muhammad Junaid Ghaffar, J. Through all these petitions, NAB seeks cancellation of Bails granted to the Respondents. At the very outset, learned Special Prosecutor NAB was confronted as to what Bail granting Orders have been impugned through these Petitions as the Prayer Clause is silent to that effect and no specific dates or details of the orders so impugned have been provided, the learned Special Prosecutor as well as the I.O, could not satisfactorily respond. He, however, submits that in some petitions, subsequently orders passed by Single Benches of this Court have been placed on record through statements. Whereas, Counsel for respondents submit that these petitions are not maintainable as firstly no impugned orders have been placed on record and secondly in some cases bails were granted by Single Benches of

this Court when these matters were dealt with by FIA, when cases were pending before the Special Judge Anti-Corruption (Central-II), at Karachi, however, subsequently all accused have filed separate Bail Petitions after filing of Reference before the Accountability Court.

2. We have heard the Special Prosecutor NAB as well as some of the Counsel of the Respondents and perused the record. As stated hereinabove there are no impugned orders annexed with these petitions nor in the entire body of the petitions there is any Reference to any Order of the Court of which cancellation is being sought. In some of the Petitions, though, subsequently certain orders have been placed on record but perusal of the same reflects that except one, all other orders are interim bail granting orders and not final orders, whereas, even otherwise, the final order in CP No.D2750/2013 has been passed after deposit of the alleged amount in question. In the circumstances, all these Petitions appear to be frivolous in nature and have been filed without any justifiable reason on behalf of NAB. Even otherwise, earlier, various accused, in the subsequent References, have been granted bail by Division Benches of this Court and today also by following the same; we have confirmed the interim bails to various other accused.

3. In view of hereinabove facts and circumstances of the case, we are of the view that all these Petitions are frivolous in nature as they have been filed without any impugned orders and this is nothing but sheer wastage of the Court's precious time. Accordingly, all these Petitions are dismissed by imposing cost of Rs.3000/- (Three Thousand) each, to be deposited in the account of Sindh High Court Clinic.

Judge

Judge