

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Rev. Application No.S-173 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objections.
2. For hearing of main case.

01.04.2022.

Syed Khalid Ali, Advocate for applicant.
Mr. Shahzado Saleem Nahiyoon, Additional P.G.
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Through this application, applicant has impugned the order dated 11.09.2021 passed by learned Sessions Judge, Jamshoro, whereby the application filed by the applicant for return of surety papers furnished by him in respect of a Vehicle / Oil Tanker, the subject property of crime bearing F.I.R No.04 of 2011. Learned Counsel submits that applicant is owner of the said oil tanker which by order dated 12.02.2021 was directed to be released to the applicant on superdari in lieu of surety furnished by him in the shape of property documents. However, the applicant due to financial crises wants to sell his mortgaged property of which the documents are with the trial Court. He therefore prays that applicant may be allowed to furnish surety in the shape of P.R bond. He has placed reliance upon the cases of ASHIQUE HUSSAIN through Authorized Attorney v. The State and another (2022 MLD 531) and AJJAB KHAN v. The STATE (2005 P.Cr.LJ 1510).

Learned A.P.G has recorded no objection. Accordingly, this revision application is allowed and the impugned order dated 11.09.2011 is set aside. The vehicle shall be released to the applicant subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand) and P.R Bond in the like amount to the satisfaction of the trial Court. Criminal Revision Application is disposed of accordingly.

JUDGE

Shahid