

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Present: Ahmed Ali M. Shaikh, CJ & Omar Sial, J
Crl. Rev. Application No. 01 of 2018

Date	Order with signature of Judge
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For hearing of case:

1. For order on office objection
2. For hearing of main case
3. For hearing of MA No.60/2018

2nd November, 2019

Mr. Zubair Ahmed Rajput, Advocate for Applicant.

Mr. Zahid Hussain Baladi, Special Prosecutor NAB.

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Omar Sial, J: The petitioner is facing proceedings in Reference No. 50 of 2016. Through this petition he has impugned an order dated 23-12-2017 passed by the learned Accountability Court No. 1 at Karachi in terms of which an application under section 265-C Cr.P.C. filed by the petitioner was dismissed.

2. The relevant background to the case is that on 18-11-2017, the petitioner moved an application in the trial court complaining that the report of the inquiry conducted by NAB prior to converting the same into investigation was not provided to him under section 265-C Cr.P.C. when the charge was framed. He therefore prayed that NAB be directed to provide him the said report.

3. We have heard the learned counsel and the learned Special Prosecutor, NAB. The learned counsel has been unable to identify to us how under section 265-C Cr.P.C. was the prosecution obliged to provide him with the inquiry report. All the documents that are mandatorily to be provided under section 265-C Cr.P.C. were provided to the petitioner. The purpose of section 265-C Cr.P.C. is that all material upon which the prosecution will rely upon against the accused should be provided to him so as to enable him to form his defence. The learned counsel has been unable to satisfy us that keeping in view the fact that the investigation report has been provided to him (which is a more comprehensive document than the inquiry report) how will the petitioner be prejudiced if the inquiry report is not provided to him.

4. In view of the above we do not find any reason to interfere with the order of the learned trial court. Accordingly, this criminal revision application was dismissed vide our short order dated 26.09.2019 along with pending application and these are the reasons for the same.

JUDGE

CHIEF JUSTICE