

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Criminal Accountability Appeal No.20, 34, 38 & 65 of 2001,
Criminal Accountability Appeal No. 11 of 2002
Criminal Accountability Appeal No. 03 of 2004.

Date	Order with signature of Judge
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For hearing main case.

07.12.2022.

None present for the Appellant.

Dr. Raja Muhammad Ali, Special Prosecutor NAB along with Sabih Rafay I.O.

All these Appeals have been filed by one Appellant namely Rauf B. Qadri, and it appears that after being convicted by the NAB Court, in various References, the sentence awarded to the Appellant was suspended in respect of Reference Nos. 27 to 31 of 2000 by a common order of this Court on 23.03.2003 in Criminal Accountability Appeal No.20 of 2001. Record reflects that thereafter time and again adjournments were sought on behalf of the Appellant and subsequently the Appellant's Counsel has failed to appear to assist the Court, whereas, the Appellant himself pursuant to proceedings initiated under Sections 87 & 88 Cr.P.C, is now declared as an absconder. Not only this, repeatedly notices have been issued to the surety(s); but no one has turned up and way back on 18.05.2017, Perpetual Warrants have been issued against the Appellant; whereas, NAB was also set at liberty to seek presence of the Appellant by way of Red notices / warrants as apparently the Appellant has absconded and presently is outside the jurisdiction of the country. Once again on 02.11.2022, notice was ordered to the surety; but nobody has turned up.

Since the Appellant has absconded and Surety(s) have also failed to attend the Court pursuant to repeated notices, this Court is left with no choice but to recall the order, whereby, while

suspending the sentence / impugned judgment, bail was granted to the Appellant; whereas, the surety also stand forfeited.

Since no assistance is being provided and even after passing of more than 20 years, the Appellant has not turned up to contest the Appeals, which is now a burden on the Court's docket, whereas, no useful purpose is being served by keeping these Appeals as pending, we deem it appropriate hold that these Appeals be dismissed for non-prosecution. Order accordingly. However, if the Appellant surrenders and approaches the Court, this Court can consider the request of the Appellant in accordance with law to grant any further indulgence for hearing of these Appeals on merits.

All listed Appeals are dismissed as above. Office to place copy of this order in the connected Appeals as above.

J U D G E

J U D G E

Ayaz P.S.