



Court was competent to return the same. Learned trial Judge while deciding the application of appellant has categorically mentioned that meter No. 0326913 is not the part of any proceedings of FIR, therefore, that property cannot be termed as recovered property under that criminal case, hence, that court is not competent to grant such relief, which is beyond its jurisdiction.

3. I have privilege to examine the case law as referred above which speaks scope of authorities, however, factual aspects of the present case are different from the case as referred above, hence, both citations are not helpful for the appellant. Section 6 of the Gas (Theft Control and Recovery) Act, 2016 provides a mechanism and Section 23 of the Act authorized the authority to conduct search of any premises if there is a case of theft. Hence, return of meter in question is not the part of proceedings emanating from FIR No. 07/2022 and apparently, it is an independent action for which the appellant is at liberty to contest the same by approaching to the authorities and after lab testing procedure, if any action is taken by the authorities, the appellant would be competent to challenge the same before the competent forum. With regard to plea that procedure of removal of gas meter was contrary to law is of no worth consideration in the present case as present appeal is against the order of the trial Court whereby such application was declined on the plea that such property is not the case property. In these circumstances, the impugned order passed by learned trial Court does not require any interference by this Court, hence the instant Appeal being meritless is dismissed accordingly alongwith listed application.

J U D G E

Sajid