

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
CP No.D-801 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For order on office objection
2. For hearing of main case.

**23.08.2022.**

Mr. Raj Ali Wahid, Advocate for the petitioner  
Mr. Zahid Hussain Baladi, Special Prosecutor NAB  
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Through this petition the petitioner has impugned order dated 10.12.2020 passed by the Accountability Court No.2 in Reference No.13/2020 on the application filed by the petitioner/accused under section 94 Cr.P.C. read with Sections 539 and 540 Cr.P.C.

We have heard the learned counsel for the petitioner and perused the record.

The operative part of the impugned order reads as under:-

*“It is pertinent to mention here that the present Reference was transferred to this Court on 23.06.2020 and even after lapse of more than five (05) months charge has not been framed by the Court. It will therefore be in the interest of justice that the matter be proceeded without further delay considering the fact that some of the co-accused persons are behind bars. The upshot of the above discussion is that the instant application has been filed by the defense at a premature stage which is dismissed accordingly.”*

On perusal of the above it reflects that the learned trial Court has merely dismissed the application on the ground that it was premature at the relevant time. We have not been able to pursue ourselves with the submissions of the petitioner’s counsel. Accordingly this petition being misconceived is hereby dismissed, however, the petitioner, if advised, can move a fresh application at the appropriate time.

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