

Order Sheet

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

**C. P. No. D - 743 of 2019**

Date of hearing	Order with signature of Judge
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**Application in disposed of case**

1. For orders on CMA No.5370/2022 (Ex./ A)
2. For orders on CMA No.5371/2022 (R/Surety)

**01.02.2023**

Mr. Athar Hussain Abro, Advocate for the applicant/surety.  
Mr. Bahawal-ud-Din Shaikh, Special Prosecutor NAB.

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Through instant application, the applicant/surety, namely, Ghulam Hyder Jutt S/o Muhammad Essa Jutt, seeks return of his surety document furnished before the Additional Registrar of this Court.

It appears from the record that petitioner, namely, Hafeezullah Pirzado was granted interim pre-arrest bail from this Court at Principal Seat, Karachi vide order dated 08.08.2018, whereas, the applicant had stood surety on behalf of the said petitioner by depositing Solvency Certificate dated 28.08.2018, issued by Mukhtiarkar (Revenue), Taluka Sujawal along with Pass Book in respect of Agricultural Land bearing Survey No.529, measuring 4-00 acres, Deh Modi, Taluka Sujawal, which is lying at Principal Seat of this Court at Karachi. Thereafter, matter was transferred to this Bench on 26.04.2019 and ultimately interim pre-arrest bail already granted to the petitioner was confirmed by this Court vide order dated 16.03.2021 subject to depositing entire amount of his liability through pay order and P.R. bond in the like amount to the satisfaction of learned trial Court. Such order was challenged by the petitioner before Hon'ble Supreme Court and vide order dated 14.02.2021, the bail petition filed by the petitioner was remitted to this Court and deemed as pending for decision afresh, however, petitioner was notified for his appearance and remain on ad-interim bail upon furnishing bond in the sum of Rs.5,00,000/- with one surety in the like amount to the satisfaction of Deputy Registrar (Judicial) of this Court. In compliance thereof, one Samandar Ali S/o Ali Nawaz stood surety on behalf of the said petitioner by depositing Solvency Certificate No.07 dated 23.04.2021 issued by Mukhtiarkar (Revenue) Gharhi Yasin, before this Court.

It further appears that on 12.10.2021, interim pre-arrest bail granted to the petitioner was converted into protective bail for a period of 10 days against the surety already furnished by the petitioner, enabling him to appear before the Administrative Judge, Accountability Court, Sukkur. Now, the 1<sup>st</sup> Surety, the applicant seeks return of surety documents i.e. Solvency Certificate along with Agricultural Pass Book as the petitioner had surrendered before the Court concerned and obtained interim bail before-arrest. In this regard, the applicant has placed on record photocopy of Certificate dated 22.10.2021 (*Annexure 'C' of the application*) issued by Registrar, Accountability Court, Sukkur.

Learned Special Prosecutor NAB records his no objection for return of the surety document.

The Accountant of this Court has also filed report dated 20.12.2022.

In view of above, the listed **application** is **allowed**. Office/Nazir of this Court at Principal Seat, Karachi is directed to return the surety document furnished by the applicant/surety, namely, Ghulam Hyder Jutt S/o Muhammad Essa Jutt to the applicant/surety after proper verification and identification, as per rules.

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Abdul Basit