IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Criminal Revision Application No. S- 41 of 2023
(Masaud Rasool Mahar Vs. The State)

1. For Orders on office objection.
2. For hearing of main case.

O R D E R.
15-11-2023.

Mr. Faisal Shams, advocate for the applicant.
Mr. Imran Mobeen Khan, Assistant P.G for the State.
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The facts in brief necessary for disposal of instant Crl. Revision Application are that the medicines allegedly robbed were recovered by the police after an encounter; the applicant making claim over the same sought for its custody by filing an application u/s 516-A Cr. P.C, it was allowed by learned IIIrd Additional Sessions Judge, Sukkur subject to furnishing surety in the sum of rupees one lac and P.R bond in the like amount by the applicant with the condition that those medicines would be produced before learned trial Court by the applicant on each and every date of hearing vide order dated 13-05-2023, which is impugned by the applicant before this Court by preferring the instant Crl. Revision Application.

It is contended by learned counsel for the applicant that the medicines being perishable item are subject to speedy decay therefor those could not be produced before learned trial court by the applicant on each and every date of hearing that too after furnishing surety. By contending so, he sought for modification of the impugned order, which is not opposed by learned APG for the State.

Heard arguments and perused the record.

Admittedly the medicines being perishable item are subject to speedy decay, as such those could not be preserved for indefinite period to be produced before learned trial Court by the applicant on each and every date of hearing; consequently, the impugned order is modified to the extent by directing the learned trial Court to preserve the sample by taking one bottle from each cartoon and then restore the rest of the medicines to the applicant subject to his execution of P.R bond in sum of rupees one lac to its satisfaction.

Instant Crl. Revision Application is disposed of accordingly.

J U D G E

Nasim/P.A