

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
Crl. Revision Application No. S-74 of 2023

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

**11-03-2024.**

Mr. Alam Sher Khan Bozdar, advocate for the applicant.  
Mr. Aftab Ahmed Shar, Additional P.G for the State.

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- 1. Over ruled.
- 2. The facts in brief necessary for disposal of instant Crl. Revision Application are that the subject car was used for transporting huge quantity of Arms and Ammunition; the applicant claiming to be its owner having purchased the same through an agreement to sell, sought for its custody on *Superdari* by making an application u/s 516-A Cr.P.C it was dismissed by learned IVth Additional Sessions Judge (Hudood) Sukkur vide order dated 21-08-2023, which is impugned by the applicant before this Court by way of instant Crl. Revision Application.

It is contended by learned counsel for the applicant that the applicant is lawful owner of the subject case having purchased the same through an agreement to sell, it was misused by his driver; there is no other claimant; therefore, same is to be restored to the applicant on *Superdari* by setting aside the impugned order, which is opposed by learned Additional P.G for the State by contending that it is used in commission of incident.

Heard arguments and perused the record.

Admittedly the subject car is not owned by the applicant legally, nor it was found to be in his possession lastly, his claim over the same on the basis of an agreement to sell is appearing to be doubtful. In these circumstances, learned trial Court was right to refuse custody of the subject to the applicant on basis of *Superdari* by way of impugned order, which is not found illegal to be interfered with by this Court.

In view of above, the instant Crl. Revision Application fails and it is dismissed, accordingly.

**J U D G E**