

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**  
**Cr. Bail Appl. No.463 of 2024**

**10.06.2024**

Mr. Liaqat Ali Khan a/w Mr. Shafique Ahmed, Advocate for applicant.  
Malik Sadaqat Khan, Advocate for SSGC.

**ORDER**

**MUHAMMAD IQBAL KALHORO J:** Applicant Abdul Jabbar is seeking post arrest bail in Crime No.25/2023 U/s 15,17,24 GTC & R Act 2016 of P.S. SSGC, Karachi.

2. It is alleged that complainant, who is Assistant in SSGC alongwith technical staff and police party of P.S. SSGC, on spy information raided premises as Al Fareed Pakwan Nihari and Sheermal House, a restaurant and on checking found the applicant, who was running the hotel, committing theft of gas, hence the relevant appliances were taken into custody alongwith applicant and case was registered u/s 15,17,24 of Gas Theft Control & Recovery Act, 2016. This exercise was conducted on 01.06.2013 and applicant was arrested. For the last one year, it is reported that no progress in the trial is made and accused is in jail.

3. As per learned counsel appearing for SSGC, still the case is pending before learned Sessions Judge Karachi West, whereas, as per section 3 of Gas Theft Control & Recovery Act, 2016, a special court for gas utility has to be established by Federal Government in each District and u/s 4 of the Act, such court has exclusive jurisdiction to try all the matters covered by this Act. He further states that learned Accountability Court No.X has been converted into Special Gas Utility Court where the case is to be transferred for purpose of trial.

4. Be that as it may, it appears that for the last one year, applicant is in jail and so far no progress has been made in the trial. The offences, the applicant is booked under, carry punishment upto 10 years and minimum upto 5 years. Until the cases under the aforesaid Act are transferred to the Gas Utility Court, there is no likelihood that the trial would proceed. These facts and ground have been highlighted by learned counsel pleading for bail, opposed by learned counsel for SSGC. However, in view of above peculiar facts and circumstances, I am of the view that the applicant has been able to make out a case for bail.

Accordingly, this application is allowed and applicant is granted bail subject to furnishing a solvent surety in the sum of Rs.100,000/- each and P.R bond in the like amount to the satisfaction of the trial court.

The bail application is disposed of in the above terms.

**J U D G E**

A.K