

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Miscellaneous Application No.D-04 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

For orders on office objection
For orders on M.A. 2173/2020
For hearing of main case

03.11.2021

Mr. Muhammad Ayoob Qassar, Special Prosecutor ANF.

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Respondent booked in Crime No.10 of 2019 of P.S ANF Hyderabad u/s 9(c), 14, 15 of Control of Narcotic Substances Act, 1997 for possessing 1700 grams opium was granted bail by trial court vide order dated 19th December 2019. By this application, filed after almost three months of the impugned order, ANF is seeking cancellation of his bail.

We have heard learned Special Prosecutor ANF and perused material available on record. It is surprising to note that the case, pending since 2019, has not yet been disposed of. There is no material to show that after getting bail in December 2019, almost two years ago, respondent has ever attempted to misuse the same and tried to tamper with the evidence. No ground, therefore, is made out to cancel concession of bail granted to respondent, when in addition, the prosecution has failed in its duty to present evidence against him for more than two years, and conclude the trial. Resultantly, the application is dismissed along with listed application.

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JUDGE

Ali Haider