

ORDER SHEET

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

C.P No.D- 1093 of 2025

DATE

ORDER WITH SIGNATURE OF JUDGE(S)

For order on office objections
For hearing of main case

04.8.2025

None present for the Petitioner
Mr.Muhammad Ismail Bhutto, Addl. A.G Sindh
Mr.Siraj Ahmed Bijarani, A.P.G Sindh

RIAZAT ALI SAHAR, J:- Through this petition, the petitioner seeks his release on post-arrest bail in Crime No.43 of 2025, registered at Police Station Taluka Nawabshah, District Shaheed Benazirabad, for offence under Section 9 (i), 3 (c) of the Sindh Control of Narcotic Substances Act, 2024.

Since the amendments have been made by the Provincial Assembly of Sindh in the Sindh Control of Narcotic Substances Act, 2024 (Sindh Act No. VIII of 2024) through the Sindh Control of Narcotic Substances (Amendment) Act, 2025, however, the same is yet to receive the assent of the Governor and to be published in the official Gazette, therefore, this Court is *coram non judice* the petitioner has remedy to approach the appropriate forum / Special Court or **competent Court** for bail. The guidelines have already been provided by this Court in C.P. No. D- 625 of 2025 (Re: Hafeezullah Lashari v. Province of Sindh and others) at Circuit Court Larkana and C.P. No. D-725 of 2025 (Re: Peer Bux v. The State and others) at Circuit Court Hyderabad.

Learned Addl. A.G Sindh as well as A.P.G. Sindh concedes for disposal of instant petition in view of above legal position.

In view of the above, instant petition is **disposed of**, leaving the petitioner at liberty to approach the appropriate forum / **Special Court or competent Court** as envisaged in section 2 (pp) and 2 (qq) of the Sindh Control of Narcotic Substances Act, 2024 for bail after issuance of proper notification through official Gazette, which reads as under:-

(pp) “Special Court” means the Special Court established under section 30 or any other Court empowered to exercise the powers of the Special Court under this Act;

(qq) “competent court” means existing Court of District & Sessions Judge that has the legal authority to hear and decide a case under this Act;

JUDGE

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