

ORDER SHEET  
IN THE HIGH COURT OF SINDH KARACHI

**Cr. Misc. Appl. No.573 of 2022**

Date	Order with Signature(s) of Judge(s)
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1. For order on office objection.
2. For hearing of main case
3. For hearing of M.A. No.11738/2022

**19.04.2023**

Mr.Naveed Ahmed Baloch, Advocate for Applicant.  
Mr. Pervez Ahmed Memon, Advocate for Respondent.

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Applicant has challenged the order dated 06.09.2022 passed by the Special Court-II (CNS) Karachi on the ground that the learned trial judge has acted beyond his jurisdiction and had no right to direct extra samples of the recovered narcotics. Learned counsel for the Applicant had relied on an unreported judgment of the Supreme Court passed in Cr. Appeals No.81-L & 82-L of 2017 in the case of ***Muhammad Naeed v. The State***. However, we find that this case is distinguishable as in that case appellant had already been convicted and the concerned Appellant Court had remanded the case back for the purpose of sampling being given to the chemical laboratory for analysis to fill the lacunas in the prosecution case. In this case the trial court after framing the charge found that the investigation was defective and therefore has taken the steps to ensure that the investigating process is carried out in accordance with law.

We find that the applicant has not been able to point out any legal infirmity in the impugned order as such we hereby dismiss this criminal misc. application alongwith pending applications.

JUDGE  
JUDGE