

IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

PRESENT:

MR. JUSTICE SH. AZMAT SAEED

MR. JUSTICE FAISAL ARAB

MR. JUSTICE YAHYA AFRIDI

CRIMINAL APPEAL NO.382 OF 2018 AND CRIMINAL  
PETITION NO.738 OF 2018

(On appeal from the order dated 29.6.2018 and 27.6.2018 of the High Court of Sindh, Bench at Sukkur passed in Cr. Misc. Applications No.D-187 and D-179 of 2018, respectively)

Cr.A.382/2018 Burhan Chandio Vs. The State through P.G., Sindh and another

Cr.P.738/2018 Sardar Khan and another Vs. The State through P.G., Sindh and another

For the Appellant (s)/  
Petitioner (s) : Sardar Muhammad Latif Khan  
Khosa, Sr. ASC and  
Syed Iqbal Hussain Gillani, ASC  
a/w appellant in person

For Respondent No.1 : Mr. Rahat Ahsan,  
Addl. P.G., Sindh  
Aijaz, DSP/I.O.

For the Complainant : Mr. Faisal Siddiqui, ASC

Date of Hearing : 13.09.2018

ORDER

SH. AZMAT SAEED, J.- We have heard  
Sardar Muhammad Latif Khan Khosa, learned Sr.  
ASC for the Appellant in Criminal Appeal No.382 of

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2018 and for the Petitioners in Criminal Petition No.738 of 2018. We have also heard the learned counsel for the Complainant as well as the learned Additional Prosecutor General, Sindh in both the above-mentioned cases.

2. After hearing the learned counsel for the parties, a consensus has been arrived at between the parties that the impugned Orders of the learned High Court dated 29.6.2018 passed in Crl. Misc. Application No.D-187/2018 and order dated 27.6.2018 passed in Crl. Misc. Application No.D-179 of 2018 are set aside. Similarly, both the Orders dated 24.02.2018 passed by the learned Judge, Anti-Terrorism Court, Naushehro Feroze (one relating to report under Section 173 Cr.P.C. and the other relating to release of Burhan Chandio) are also set aside. The matter shall be deemed to be pending before learned Judge, ATC, to whom the case has been transferred who shall consider all matters pending before it as raised by the learned counsel for the parties and the State and decide the same without being influenced by

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any earlier observation made by the learned Judge, ATC or by the learned High Court by way of the impugned Orders.

3. Both the above cases are disposed of in the above terms.

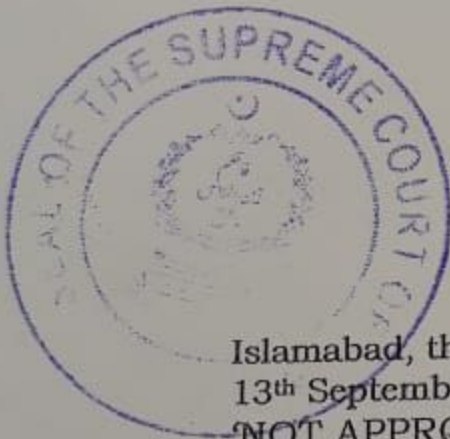
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Certified to be True Copy

Court Associate  
Supreme Court of Pakistan  
Islamabad



Islamabad, the  
13<sup>th</sup> September, 2018

**NOT APPROVED FOR REPORTING**

Mahtab/\*

*Handwritten signature and date 14/9/18*

*21218/18*

GR No: \_\_\_\_\_ Civil/Criminal

Date of Presentation: 13.9.18

No of Words: \_\_\_\_\_ 900

No of Folios: 8

Requisition Fee Rs: 500

Copy Fee in: 5.18

Court Fee Stamps: 10.18

Date of Completion of Copy: 14.9.18

Date of delivery of Copy: 15.9.18

Compared by/Prepared by: [Signature]

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