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IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

MR. JUSTICE MAQBOOL BAQAR

MR. JUSTICE SAJJAD ALI SHAH

Criminal Petition No.39-K of 2021

(Against the order dated 08.02.2021 of the High Court of Sindh, Circuit Court Larkana passed in Crl. Bail Application No.S-491 of 2020)

Agha Imran Khan

...Petitioner(s)

Versus

The State and another

...Respondent(s)

For the Petitioner(s):

Mr. Muhammad Ashraf Sammoo, ASC
Ms. Abida Parveen Channar, AOR

For the State:

Mr. Hussain Bux Baloch, Addl. P.G. Sindh

Date of Hearing:

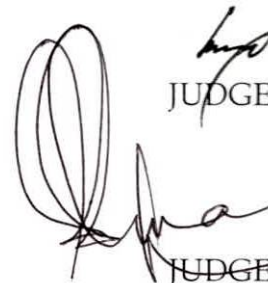
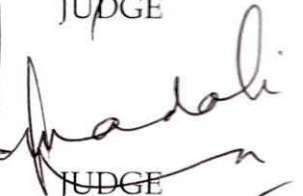
17.06.2021

ORDER

Maqbool Baqar, J.- Heard the learned counsel and perused the record with his assistance. No case is made out for our interfering with the impugned order, except for the fact that the contents of para 8 of the impugned order which reads as under, may prejudice the outcome of the trial:

"As regards to the confessional statement of the applicant-accused, the same was recorded after his arrest while he was in the custody of police, which as per Article 38 and 39 of the Qanun-e-Shahadat Order, 1984, cannot be used against him, as the same was not recorded in presence of the Magistrate."

We, therefore, find it necessary to observe here that the same shall not come in the way of the trial Court deciding the case on merits.


JUDGE

JUDGE

Karachi

17.06.2021

M. Azhar Malik/*

