

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

3097

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**Present:**

Mr. Justice Mazhar Alam Khan Miankhel  
Mr. Justice Sajjad Ali Shah

**Criminal Petition No. 157-K/2018**

(Against the order dated 16.10.2018 passed by the  
High Court of Sindh at Hyderabad in Crl. RA No.D-19 of 2018)

Murad @ Mann.

*Petitioner(s)*

**VERSUS**

Special Judge Anti-Terrorism Court Mirpurkhas, etc.

*Respondent(s)*

For the Petitioner(s) : Mr. Khadim Hussain Soomro, ASC

For Respondent(s) : Mr. Hussain Bux Baloch, Addl. P. G.

Date of Hearing : 11.11.2020

**ORDER**

**Mazhar Alam Khan Miankhel, J.** Through this petition, the petitioner has questioned the impugned order of the High Court of Sindh at Circuit Court Hyderabad by which the application of the petitioner filed under Section 23 of the Anti-Terrorism Act, 1997 ("ATA") was dismissed concurrently. The position, today, is that the judgment in the case of *Ghulam Hussain vs. the State* (PLD 2020 SC 61) has been pronounced. Consequently, in view of the findings of the Larger Bench of this Court, this matter is remitted back to the trial Court to decide the issue in the light of the judgment in the cited case. This petition is, therefore, converted into appeal and is allowed in the above terms.

M.  
Judge

O. A. M. A. D. L.  
Judge

Karachi  
11<sup>th</sup> November, 2020  
A. Rehman\*