

Form No: HCJD/C-121

ORDER SHEET

**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**(JUDICIAL DEPARTMENT)**

**Criminal Appeal No.106/2020**

Shamsh ur Rehman  
Versus  
The State, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	28-04-2020	Mr M. Zaki Ullah Qureshi, Advocate for appellant.

This appeal is directed against order, dated 13-04-2020, passed by the learned Judge Special Court (CNS), Islamabad whereby application filed for seeking interim custody of the vehicle allegedly used for transportation of narcotic substances has been dismissed.

2. The learned counsel has been heard at length. The learned counsel, despite his able assistance, was not able to satisfy us that the impugned order has been passed by exercising discretion arbitrarily or in a fanciful manner. It is alleged that the narcotic substance was concealed in specially made cavities. The trial is pending and the vehicle has not yet been examined by the learned trial Court. At this stage the possession of the vehicle cannot be given to the appellant

because it is likely to prejudice the case of the prosecution.

3. For the above reasons, this appeal is without merit and is, therefore, accordingly **dismissed.**

(CHIEF JUSTICE)

(AAMER FAROOQ)  
JUDGE

Luqman Khan/\*