

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

Cr. Bail Application No.S-770 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

10.08.2020

Mr. Muhammad Ishaque Khoso advocate a/w applicants

Mr. Shahid Ahmed Shaikh, DPG

Applicants are present on interim bail granted to them by this Court vide order dated 17.07.2020. Today the same is fixed for confirmation or otherwise.

2. The allegation against the applicants/accused is that on 08.06.2020 (day of incident) the present applicants alongwith co-accused Muhammad Saleh caused kicks and fists blow to the complainant party with further allegation that accused Muhammad Saleh, who was armed with lathi has caused lathi blow to the complainant at his arm.

3. Learned counsel for the applicants/accused submits that applicants are innocent and they have falsely been implicated in this case by the complainant party due to enmity over matrimonial affairs; that no specific role has been attributed to the applicants; that alleged injuries are not on vital part and prosecution story is false and concocted one; that there is inordinate delay of 19 days in lodgement of FIR; that co-accused Muhammad Saleh has been granted bail by learned Trial Court, as such applicants/accused are also entitled for same relief. He lastly prayed that interim bail already granted to the applicants/accused may be confirmed.

4. Learned DPG has extended no objection on the pretext that co-accused Muhammad Saleh, has already been granted bail.

5. Arguments heard record perused.

6. It is noted that the alleged incident took place on 08.06.2020, whereas, the same was reported to the police on 27.06.2020 after the delay of about 19 days, for which no satisfactory explanation has been furnished. It is also noted that co-accused Muhammad

Saleh, who was armed with lathi has already been granted bail by the learned Trial Court, vide order dated 28.07.2020 and the case of present applicants appears to be on better footings, as the applicants allegedly has only caused kicks and fists blow to the complainant party. Moreover, the case has been challaned and the applicants/accused are no more required for further investigation. Under these circumstances, I have no option but to confirm the interim pre-arrest bail already granted to the applicants/accused. Accordingly, interim pre-arrest bail granted to the applicants/accused vide order dated 17.07.2020 is hereby confirmed on the same terms and conditions. Applicants/accused are directed to attend the Trial Court and to face the trial.

7. Needless to say that observations made, hereinabove, are tentative in nature, hence the learned Trial Court shall not be influenced in any manner whatsoever while deciding the case on merit.

Instant bail application stands disposed of in above terms.

JUDGE

Sajjad Ali Jessar