

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

Cr. Bail Application No.S-1446 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objections.
For hearing of main case.

21.09.2026.

Applicant is present on interim pre-arrest bail.

Mr. Imtiaz Ali Abbasi, Advocate for applicant.

Mr. Sameeullah Rind, Advocate for complainant.

Ms. Rameshan Oad, Deputy Prosecutor General, Sindh.

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ZULFIQAR ALI SANGI J:- The applicant Muhammad Zuhaib is seeking pre-arrest bail in Crime No.31 of 2025 registered u/s 324, 34 PPC at Police Station City Hyderabad. Earlier, the bail plea raised by applicant before the trial Court was declined by means of order dated 21.07.2025.

2. Since the facts of prosecution case are already mentioned in F.I.R as well as in the impugned order passed by the trial Court viz. 4th Additional Sessions Judge, Hyderabad, therefore, there is no need to reproduce the same.

3. It is contended by the learned counsel for the applicant that applicant is innocent and has falsely been implicated with malafide intention and ulterior motives; that prior to registration of instant F.I.R, the applicant had filed an application under Section 22-A & B Cr.P.C against the local police officials for which they became annoyed and booked the applicant in this false case; hence, under these circumstances, case of applicant requires further enquiry. He prayed for confirmation of bail to the applicant.

4. Conversely, the learned Deputy Prosecutor General, Sindh, assisted by the learned counsel for the complainant, has opposed the confirmation of bail to the applicant on the ground that the applicant is specifically nominated in the F.I.R. with a specific role attributed to him of causing a firearm injury to the injured Abdul Rehman. It is further contended that Section 336 P.P.C. has also been incorporated by the Investigating Officer, which provides punishment extending up to ten years. Learned D.P.G. submits that, in view of the nature and

gravity of the allegation, the specific role attributed to the applicant, the injury allegedly caused to the injured, and the penal provision invoked against him, the case of the applicant squarely falls within the prohibitory clause of Section 497 Cr.P.C.

5. Heard the learned counsel for the respective parties and with their able assistance perused the material available on record. Perusal of the record reveals that the F.I.R. was lodged promptly, without any apparent delay, and the applicant has been specifically nominated therein with a specific role attributed to him of causing a firearm injury to the injured Abdul Rehman. It is further evident from the record that the allegation against the applicant is not general or omnibus in nature, rather a specific role has been assigned to him in connection with the occurrence. Learned counsel for the complainant has submitted that, as a consequence of the firearm injury sustained by Abdul Rehman, he has lost his leg and is presently unable to walk. Furthermore, Section 336 P.P.C. has also been incorporated by the Investigating Officer, which carries punishment extending up to ten years. The version of the complainant as set out in the F.I.R is supported by the prosecution witnesses in their statements recorded under Section 161, Cr.P.C. No enmity or ill-will on the part of the complainant or the prosecution witnesses, who have implicated the applicant, has been shown to suggest that the applicant has been falsely involved in this case. The basic ingredients required for grant of extraordinary relief are lacking in the present case. It is a settled principle of law that a bail application is required to be decided on the basis of a tentative assessment of the material available on record, and deeper appreciation of the evidence is precluded at the bail stage.

6. On tentative assessment of material, I am of the view that there is sufficient material available on record to connect the applicant with the commission of crime falling under prohibitory clause of Section 497 Cr.P.C. Therefore, I do not find any merit in this bail application which is accordingly **dismissed** and the interim pre-arrest bail earlier granted to applicant vide order dated 27.11.2025 is hereby recalled.

7. The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE

Hafiz Fahad