

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail. Appl. No.2480 of 2024

Date	Order with signature of the Judge
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15.01.2025

Peer Rehman, advocate for applicant.
Mr. Iftikhar Ahmed, advocate for complainant.
Ms. Rubina Qadir, DPG.

ORDER

MUHAMMAD IQBAL KALHORO J: Applicant Yaqoot shah is seeking post arrest bail in Crime No.372/2024 U/s 336, 337-G PPC of P.S. Jamshed Quarters, Karachi.

2. As per FIR, it is alleged by complainant that he is a Rickshaw driver. On 11.03.2024 his Rickshaw broke down near Guru Mander Chorangi, hence he parked it by side of the road but one water tanker being driven by the applicant rashly and negligently hit him and smashed his both legs. As a result, he was taken to hospital, where his both legs were amputated. At police station, compromise took place and owner of water tanker gave him Rs.100,000/- and undertook to get him artificial legs but then he backed out, hence FIR.

3. Learned counsel in defence has argued that section 337-G PPC isailable whereas applicability of section 336 PPC is yet to be determined at trial as it is applicable when either with the knowledge or with intention to cause Itlaf-e-udw, an act is committed by the accused. His arguments have been rebutted by learned counsel for complainant and learned DPG. However, from the facts of FIR, it appears that prima facie section 337-G which isailable, is attracted whereas applicability of section 336 PPC is yet to be determined by the trial court. Applicant is in jail and no more required for further investigation.

4. Accordingly, this application is allowed and applicant is granted bail subject to furnishing a solvent surety in the sum of Rs.100,000/- and P.R bond in the like amount to the satisfaction of the trial court.

The bail application is disposed of.

JUDGE

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