

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**

Cr. Misc. Appl. No.2544 of 2024

Date	Order with signature of the Judge
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**21.11.2024**

Mr. Muhammad Arif Afzal Khan, Advocate for applicants a/w applicants

Ms. Rahat Ahsan, Addl. P.G.

Mr. Faheem Ahmed, Advocate for complainant

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**ORDER**

**MUHAMMAD IQBAL KALHORO J:** Applicants are seeking pre arrest bail in Crime No.659/2024 U/s 354-A, 337 A(i), 34 PPC of P.S. Taimoria, Karachi. They were granted ad-interim pre arrest bail vide order dated 06.11.2024 and today matter is fixed for confirmation or otherwise.

2. As per FIR registered on 08.09.2024, when a celebration of engagement of complainant's daughter was going on outside her house, applicants, her neighbors, came over there and after abusing the complainant started beating her and gave her kicks and fists blows and hit her on her nose and face. As a result of which, she has sustained two injuries u/s 337 A(ii) and A(iii) PPC, latter is punishable for 10 years, hence FIR.

3. Applicant's counsel submits that applicants are innocent and have been falsely implicated in this case; only general allegations have been leveled against applicants; that co-accused Akber, who was arrested, has been granted bail.

4. On the other hand, learned counsel for complainant has opposed bail and submits that applicants on the other hand are threatening the complainant, who is a lady, to withdraw the case. Learned Addl. P.G. has also opposed the bail.

5. I have considered submissions of the parties and perused material available on record. The applicants are named in the FIR and beaten the complainant jointly. She has received serious injuries on her face and nose, one of which is punishable for 10 years, hence offence falls within the prohibitory clause of section 497 Cr.P.C. The applicants were

granted ad-interim pre arrest bail on 06.11.2024 and till today, they have not furnished surety in terms of said order which means there is no apprehension of imminent arrest to them. Be that as it may, since applicants are named in the FIR with specific role of beating the complainant, no case of extra ordinary concession of pre arrest bail is made out, which is meant to protect a person from arrest and humiliation in the criminal case in which he has been falsely implicated by the complainant or police. The bail to co-accused is also not helpful to them as he has been granted post arrest bail which is regulated by different principles.

6. In view of above circumstances, this application is dismissed and the order granting ad-interim pre arrest bail to the applicants is hereby recalled.

The observations made herein above are tentative in nature and would not prejudice case of either party at trial.

The Cr. Bail Application is disposed of.

**J U D G E**

A.K