

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.
Cr. Misc. Appln. No.S- 36 of 2025.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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For non-prosecution.

21.4.2025.

Mr. Abdul Hakeem Brohi, advocate for the applicant.

Mr. Muhammad Noonari, D.P.G.

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By this application, applicant/complainant is seeking cancellation of bail granted to the accused/respondent No.2 by learned Trial Court vide order dated 28.01.2025 in Crime No. 214 of 2024 of P.S Ratodero, District Larkana under Sections 324, 337-H(ii), 114, 34 PPC.

Details and particulars of the FIR are already available in the memo of instant application, same can be gathered from the copy of FIR attached with the application, hence need not reproduce the same hereunder.

It is mainly contended by learned counsel for the applicant that accused/respondent No.2 Manzoor Ali is named in the FIR with specific role that he alongwith co-accused Zahid Ghanghro caused firing upon complainant which hit him on different parts of body, yet learned trial Court has granted bail to him which is liable to be cancelled.

On the other hand, learned D.P.G opposed the application.

Admittedly the FIR is delayed by one day without plausible explanation. Allegedly accused/respondent No.2 alongwith co-accused Zahid collectively caused firing from their repeaters upon complainant which hit him on different parts of body, thus it is yet to be determined at the trial as to whose fire hit on what part of the body of complainant. The injuries allegedly suffered by the complainant do not fall within prohibitory clause of Section 497 Cr.P.C. Admittedly there is standing enmity between the parties and both eye witnesses are close relatives of complainant. On all these aspects, prosecution case against the accused/respondent No.2 calls for further enquiry, therefore, impugned order of trial court granting bail to accused/respondent No.2 do not call for any interference by this Court. Resultantly instant criminal miscellaneous application is dismissed. However, learned Trial Court is directed to expedite the matter and conclude the trial within 60 days.

Shabir/P.S