

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.
Cr. Misc. Appln. No.S- 03 of 2025.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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- 1.For orders on office objection as flag A.
- 2.For hearing of main case.

07.5.2025.

None present for the applicant.

Mr. Muhammad Noonari, D.P.G.

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By this application, complainant is seeking cancellation of bail granted to the accused/respondent No.1 by learned Trial Court vide order dated 28.12.2024 in Crime No.39 of 2024 of P.S B-Section Shahdadt, District Kamber Shahdadt @Kamber under Sections 302, 392, 34 PPC.

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

None present for the applicant. No intimation is received. It is claimed by the applicant in his application that though name of applicant does not transpire in the FIR but he was implicated in further statement of complainant and second statements under Section 161 Cr.P.C of witnesses and after grant of bail accused/respondent No.1 has misused the concession of bail by extending threats to the complainant party to withdraw from the case, hence his bail is liable to be cancelled.

Learned D.P.G while supporting impugned order has opposed the application.

From perusal of record, it reflects that name of applicant is not transpired in the FIR; he was first time introduced in further statement recorded on 18.6.2025 i.e after delay of 16 days. Record further reflects that present applicant happen to be brother in law of nominated accused Subhan, yet he was not named in the FIR. Besides the FIR as well as first statements under Section 161 Cr.P.C of witnesses are silent with regard to gestures of accused/applicant nor he was produced before any Court for identification parade, then as to how they came to know about involvement of applicant in the case. As regards the threats extended by applicant to complainant party to withdraw case is concerned, no specific date and time or manner referred to by the complainant.

In above circumstances, prosecution case against the accused/ respondent No.1 called for further enquiry therefore, he was rightly granted concession of bail by learned trial Court vide order dated 28.12.2024, which does not call for any interference by this Court. Resultantly instant application is dismissed in limine. However, learned trial Court is directed to expedite the matter and conclude the same preferably within 60 days.

JUDGE

Shabir/P.S