

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S-463 of 2025

Applicants	1. Allah Rakhio son of Rajo Khan. 2. Muhammad Jurial son of Ali Bux Khoso Through Mr. Mansoor Ahmed Maitlo Advocate.
Complainant	Through Mr. Nusrat Hussain Memon, Advocate.
The State	Mr. Mansoor Ahmed Shaikh, Deputy Prosecutor General, Sindh.
Date of hearing:	18.08.2025
Dated of order	18.08.2025

ORDER

Khalid Hussain Shahani, J.---Applicants Allah Rakhio and Muhammad Jurial seek confirmation of the ad-interim pre-arrest bail granted to them by this Court vide order dated 30-05-2025 in a case bearing crime No. 17/2025, registered at Police Station Phull for offences under Sections 337A(i), 337F(i), 147, 148, 149, 504 PPC. The applicants initially sought pre-arrest bail from the Court of the learned Sessions Judge, Naushahro Feroze, which was dismissed vide order dated 23.05.2025.

2. The facts forming the basis of the FIR, as alleged by complainant Sanwan Khan are that on 24.04.2025, he along with his brothers Muharram, Bakhshal, his son Abdul Sattar and nephew Munwar were going from village reached at Phull regulator at about 7:30 am found accused Allah Rakho, Ghulam Mujtaba, Jurial, Abdul Razzaq having iron rods and two unidentified persons having pistols in their hands. It is alleged that accused Allah Rakho by abusing Muharram caused iron rod blow to him, who fell down, accused Ghulam Mujtaba caused iron rod at his right knee joint, accused Muhammad Jurial caused iron rod to him at his left knee, accused Allah Rakhio caused iron rod at left hand and unidentified accused caught hold Munwar and accused Abdul Razzaq caused him iron rod blow at his head and both arms, then all the accused persons escaped away. Consequent upon; case was registered inter alia on above facts.

3. Learned counsel for the applicants vehemently argued that the applicants are innocent and have been ensnared in a false and fabricated case due to dispute over landed property, which is admitted by the complainant; that all the sections mentioned in the FIR are bailable; that parties are related inter se and they have settled their dispute outside the Court, hence pray for confirmation of interim pre-arrest bail.

4. Learned Deputy Prosecutor General, assisted by the learned counsel for the complainant as well as complainant in person have tendered their no objection for confirmation of interim pre-arrest bail as the offence is compoundable.

5. Record reflects that all the sections inserted in the FIR are bailable and compoundable, the complainant Sanwan and applicant Allah Rakhio are real brothers, and complainant has tendered his no objection for confirmation of interim pre-arrest bail to live peacefully. They also intend to approach trial court to tender compromise. I am therefore of the tentative view that the applicants have successfully made out a case for the grant of pre-arrest bail on the basis of compromise. Accordingly, application is allowed. The ad-interim pre-arrest bail granted to the applicants vide order dated 30.05.2025 is hereby confirmed, on same terms and conditions with the directions to join investigation/trial.

J U D G E