

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

Cr. Bail Appln. No.S- 264 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 bail Application.

26.5.2025.

Mr. Muhammad Afzal Jagirani, advocate a/w the applicant Abdul Qayoom on bail.

Mr. Aitbar Ali Bullo, D.P.G.

O R D E R.

AMJAD ALI SAHITO-J.- Through this bail application, applicants Majid Ali @Abdul Majid and Abdul Qayoom are seeking pre arrest bail in Crime No.32/2025 of P.S B-Section Kandhkot under Sections 397 PPC, after dismissal of his bail plea by learned trial Court vide impugned order dated 28.3.2025. However, applicant/accused Majid Ali @Abdul Majid is called absent. No intimation is received. His bail plea is dismissed. Interim pre arrest bail granted to him vide order dated 22.5.2025 is hereby recalled.

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.

Per learned counsel, applicant Abdul Qayoom is innocent and has been falsely implicated in this case by the complainant with malafide and ulterior motives; there is delay of 58 days in lodging of the FIR for which no plausible explanation has been furnished by him; admittedly both eye witnesses of the occurrence are closely related with the complainant hence they highly interested and partisan; that complainant has filed affidavit wherein he has stated that applicant has been proved innocent in private faisla therefore, he has no objection for grant of bail to him. On all these scores, learned counsel prayed for bail.

On the other hand, learned D.P.G has vehemently opposed the grant of bail.

Heard learned counsel for the applicant as well as learned D.P.G and perused the material brought on record.

Perusal of record reflects there is inordinate delay of 58 days in lodgment of FIR for which no plausible explanation has been furnished and all the prosecution witnesses happen to be close relatives interse. Besides, complainant has filed affidavit wherein he has stated that private faisla was held between the parties outside the Court wherein it has been proved that the applicant is innocent therefore, he has no objection for grant of bail to him.

In view of above, instant bail application is allowed. Resultantly, interim pre arrest bail granted to the applicant Abdul Qayoom vide order dated 22.5.2025 is confirmed on the same terms and conditions.

Needless to say, observations made herein above are tentative in nature and would not prejudice the case of either side.

JUDGE

Shabir/P.S