

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA**

1<sup>st</sup> Criminal Bail Application No.S-376 of 2025

Applicant	Lutufullah son of Ashraf @ Muhammad Ashraf Junejo, through Mr. Tahir Nisar Siddiqui, Advocate.
Complainant	Razia Begum, through Mr. Abdul Hameed Mangi, Advocate.
State	Through Mr. Nazir Ahmed Bhangwar, D.P.G.
Date of hearing	02-10-2025
Date of order	02-10-2025

**ORDER**

**Shamsuddin Abbasi, J.-** Applicant seeks post arrest bail in Crime No.22/2025, registered at Police Station Gaheja for the offence punishable under Section 324,148,149 PPC after dismissal of his post arrest bail by learned Sessions Judge, Shikarpur vide order dated 30.06.2025.

2. It is alleged in the FR that applicant caused gunshot injury to injured Waqar Ali on his right armpit. Medical Officer issued medical certificate declaring the injury to be Jurh Ghayr Jaifah Damiyah.

3. Learned counsel for applicant submits that the applicant is innocent and he has falsely been implicated in this case and medical certificate has been managed by the complainant in connivance with the medical officer.

4. Learned counsel for complainant opposed grant of bail on the ground that specific role has been assigned to the applicant, provision of section 324 PPC is attracted, therefore, he is not entitled for grant of bail.

5. Learned D.P.G for the state recorded his no objection in view of report issued by the Special Medical Board wherein injury sustained by injured shown in medical certificate issued by MLO Dr. Abdullah was declared incorrect.

6. I have heard learned counsel for applicant, advocate for complainant and learned D.P.G so also perused material available on the record. No doubt specific role of causing firearm injury has been attributed to applicant by complainant in the FIR. This court had

referred the injured to Special Medical Board to examine his injury. Today medical report has been furnished, consisting upon Dr. Ghagwan Das, Associate Professor of Radiology, CMC @ SMBBMU Larkana, Member, Professor Zahid Ali Shaikh, Professor of Medicine, CMC @ SMBBMU Larkana, Member, Professor Saira Fatima Shaikh, Professor of Surgery, CMC @ SMBBMU Larkana, Member, Professor Rasheed Ahmed Pathan, Professor of Forensic Medicine, CMC @ SMBBMU Larkana, Member, Professor Kashif Iqbal Tebani, Professor of Orthopedic, Chandka Medical College, Larkana, Dr. Mukhtiar Hussain Damraho, Additional Medical Superintendent CMC Hospital, Larkana, Secretary/Convener under the chairmanship of Professor Zamir Ahmed Soomro, Principle Chandka Medical College, Larkana, whereby injured Waqar Ali was examined and injury declared by the Medical Officer Dr. Abdullah was declared incorrect. In absence of medical record case of applicant requires further inquiry in terms of section 497(2) Cr.P.C, therefore, bail application is allowed. The applicant is admitted on post-arrest bail subject to furnishing his solvent surety in the sum of Rs.25,000/- and P.R bond in the like amount to the satisfaction of learned trial court.

7. This Court has observed in many cases that MLO are issuing fake medical certificates in connivance with the complainant party in order to drag innocent persons in a false criminal cases which undermines the judicial system and, therefore, this aspect of the case cannot be ignored therefore case of Dr. Abdullah is recommended to Director General Health Services Government of Sindh for inquiry into the matter and to take disciplinary action against Dr. Abdullah and if this comes on the record that he has intentionally issued false medical certificate in connivance with the complainant party, his case also be referred to Anti-Corruption to face consequences. Office is directed to communicate this order to Director General, Health Services, Government of Sindh through fax for compliance preferably within one month under intimation to this court through Additional Registrar of this Court.

**J U D G E**