

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No. 2593 of 2025

Applicant : Muhammad Umair
son of Muhammad Hashim
Through Mr. Rasool Bux, advocate

Respondent : The State
Through Ms. Seema Zaidi, Addl.P.G Sindh.
Assisted by Mr. Ghulam Mustafa, advocate

Date of hearing : 02.03.2026.

Date of order : 02.03.2026.

ORDER

Jan Ali Junejo, J.— Applicant Muhammad Umair son of Muhammad Hashim seeks pre-arrest bail in a case bearing Crime No. 494/20254, for offence under section 147/148/324/504/337-A(i)/34 PPC of P.S Gizri, Karachi. Prior to this, the applicant had sought the same relief before the learned Additional Sessions Judge-II, Karachi South, which was declined vide order dated 27.09.2025. He was admitted to interim pre-arrest bail by this court vide order dated 29.09.2025, now the matter is fixed for confirmation of interim bail or otherwise.

2. The accusation against the applicant as per contents of FIR lodged by the Complainant is that on 07.009.2025, at approximately 15:00 hours, he was present in the street. At that time, the accused Umair, Asif, Hassan, and Gudu accompanied by several unidentified companions, arrived and began using abusive language before physically assaulting the complainant. Upon hearing the complainant's cries for help, his son, Suleman, and other relatives namely Ibrahim, Dilawar, Jan Sher, and Ali arrived at the scene. During the encounter, Umair, while armed with a knife (churi), exhorted the others to "kill them all." Consequently, the accused party attacked the victims with knives, sticks, and pistol butts. The complainant sustained knife injuries, and his son was also injured during the assault. The accused subsequently fled the scene, leading to the registration of the present FIR.

3. Heard and perused record.

4. As per the contention of the learned counsel for the applicant, the applicant has been falsely implicated with mala fide intention. He contends that the FIR has been lodged with unexplained delay of about 1.5 hours; that no specific role has been attributed to the applicant, and that the applicant has joined investigation and has not misused the concession of interim protection; therefore, he prays that the pre-arrest bail be confirmed.

5. The Addl. P. G. Sindh assisted by learned counsel for the complainant, while not opposing the grant of bail, recorded her no objection to the instant application in view of the affidavit of no objection filed by the complainant, same is taken on record, wherein he has expressly raised no objection to the applicant being admitted to bail.

6. Notably, the complainant has since submitted an affidavit in which he has raised no objection to the grant of bail to the applicant. The complainant's statement and his credibility can only be determined at the time of trial, after the recording of evidence; therefore, applicant has made out a case for further inquiry into his guilt within the meaning of section 497(2), Cr.P.C. Accordingly, the interim bail already granted to the applicant vide order dated 29.09.2025 is confirmed on same terms and conditions. Applicant/accused is directed to attend the trial as and when required. However, it is made clear that if the applicant/accused misuses the concession of bail, learned trial Court would be at liberty to take appropriate action.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant on merits.

J U D G E