

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.735 of 2026
Criminal Bail Application No.114 of 2026

Applicant : Farhan Ali @ Malik Hussain S/o
[in CrI. B.A. No.735/2026] Hussain Bux through Mr. Sanaullah Daudani, Advocate

Applicant : Jahangir S/o Bashir Ahmed
[in CrI. B.A. No.114/2026] None present.

Complainant : Zakir Hussain S/o Muhammad Ali
Present in person.

Respondent : The State
through Ms. Najma Latif Golo, A.P.G.

Date of hearing : 14.05.2026

Date of order : 14.05.2026

ORDER

AMJAD ALI SAHITO, J – By this common Order, I intend to dispose of both the bail applications filed by applicants named above in Crime No.633/2024 for the offence under Sections 397/353/324/186/34 PPC at PS Korangi, after their bail plea has been declined by the learned Vth Additional Sessions Judge, Karachi East vide Orders dated 09.12.2025 & 21.03.2025.

2. The details and particulars of the FIR are already available in the bail application and FIR; hence, the same need not to be reproduced hereunder.

3. Learned counsel for the applicant appearing in CrI. Bail Application No.735/2026 submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that this is the second bail application filed on behalf of the applicant due to non-compliance with the directions passed by this Court in CrI. Bail Application No.135/2025 vide order dated 03.03.2025, whereby the learned trial Court was directed to conclude the trial of the

applicant preferably within 60 days. Learned counsel further contends that the complainant has pardoned the applicant and is ready to give a No-Objection for the grant of bail. He further contends that the applicant has remained in custody for the last one and half years and is no longer required for further investigation. Lastly, he prays for the grant of post-arrest bail.

4. None present on behalf of the applicant in CrI. Bail Application No. 114 of 2026. No intimation is received. Same was the position on the last date of hearing, i.e. 11.05.2026. It appears that the learned counsel for the applicant is no longer interested in pursuing the instant bail application. Therefore, the same is being decided in the presence of the learned A.P.G. as well as the complainant.

5. On the other hand, complainant present in person submits that he has no objection if the applicant is granted bail. However, upon a specific query as to whether the applicant was involved in the robbery committed against him, he replied in the affirmative. Conversely, the learned A.P.G. vehemently opposed the grant of bail on the ground that the applicant was arrested at the spot upon the pointation of the complainant and that the robbed articles were recovered from his possession; therefore, he is not entitled to the concession of bail.

6. Heard arguments and perused the record.

7. From perusal of record, it reflects that on the day of alleged incident, complainant alongwith his colleague was returning home from the factory when two persons on motorcycle intercepted them and on show-off weapon, robbed mobile phone, wallet and other valuables from them. In the meantime, two police personnel on a motorbike, who were busy on patrolling, were going from there. Upon seeing the police party, they raised hue and cry and informed them about the incident; as such, the police personnel chased the

robbers and subsequently encounter took place and they were apprehended. Thereafter, they disclosed their name as Farhan and Jehangir. From their personal search, robbed articles including mobile phone were recovered which were identified by the complainant.

8. As regards No-Objection given by the complainant, it is an undeniable fact that in cases of robbery and street crimes, after arrest of the accused persons, efforts are made by the family or relatives of accused to approach the complainant for compromise or No-Objection for the release of accused on bail. In many cases, such compromises are not the result of free consent but are obtained owing to pressure, fear, intimidation or other modes. Therefore, mere no objection of the complainant cannot be treated as a decisive factor for grant of bail in offences which are not only committed against an individual but also disturb the sense of security of society at large. In these days, street crimes and robbery incidents in Karachi have alarmingly increased and the Courts are required to examine such matters with due caution and seriousness.

9. In the present case, the accused were allegedly apprehended at the spot after police encounter and the robbed articles were also recovered from their possession, thus sufficient material is available on record to connect the accused with the commission of offence. At bail stage, only tentative assessment is made and deeper appreciation of the evidence is not permissible.

10. In view of the above, learned counsel for the applicant has failed to make out a case for grant of bail in subsection 2 of Section 497 Cr.P.C. Resultantly, the instant bail applications are **dismissed**. However, learned trial Court is directed to conclude the matter expeditiously.

11. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicants/accused on merits.

JUDGE

Kamran/PA