

ORDER SHEET
HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Criminal Bail Application No.S-183 of 2026

Applicant : Altaf s/o Wali Muhammad,
Through Mr. Dilawar Hussain Panhwar,
Advocate a/w applicant.

The State : Through Mr. Neel Parkash, Deputy
Prosecutor General a/w I.O/SIP Hassan Bux
PS Jhudo.

Date of hearing : 11.05.2026.
Date of Order : 11.05.2026.

ORDER

ARBAB ALI HAKRO, J.- Applicant Altaf son of Wali Muhammad by caste Chandio, seeks pre-arrest bail in crime No.43 of 2025, registered at Police Station Jhudo, for offence under Sections 324, 353, 147, 148, 149, PPC, after rejection of his bail application by the learned Additional Sessions Judge-I, Mirpurkhas vide order dated 18.02.2026.

2. The brief facts of the prosecution case are that on 20.05.2025, the complainant of this case left the Police Station along with his subordinate staff for investigation of Crime No.41/2025 registered at P.S. Jhudo and for search of the nominated accused persons. After patrolling at different places, when the police party reached near Crescent Model School, they received spy information that the nominated accused of the aforesaid crime, namely Babu Dhandhal and his other companions, were coming from Tando Jan Muhammad towards Jhudo in a silver-coloured Corolla car bearing registration No.BBT-269. Upon such information, the complainant briefed the staff and started naka bandi on the same road at about 1350 hours. At about 1400 hours, a car matching the same description was seen coming from Tando Jan Muhammad. The police party, along with the staff, forcibly stopped the said car on the road. Babu Dhandhal was sitting on the front seat, while Wali Muhammad was driving the

car. When the police party proceeded to arrest the nominated accused Babu Dhandhal, all the staff members saw and identified the occupants of the car, namely: (1) Wali Muhammad son of Bachal Chandio, driver of the car; (2) Babu alias Aijaz Dhandhal, sitting on the front seat; and on the back seat, (3) Mehtab son of Wali Muhammad Chandio, armed with a Kalashnikov; (4) Altaf son of Wali Muhammad Chandio; and (5) Ali Gohar Chandio. All the accused persons, with the intention to commit murder, made straight fires upon the police party. The complainant and his staff laid down in a ditch beside the road and thereby saved their lives. Thereafter, the above-named accused persons fled away in the same car towards Jhudo. The police party chased them and also conveyed messages to nearby police stations; however, the accused succeeded in making their escape. Thereafter, the complainant proceeded to the Police Station and lodged the present FIR with the request that justice be done.

3. I have given my anxious consideration to the arguments advanced by the learned counsel for the parties and have gone through the record with the assistance of the learned counsel.

4. The record reflects that the name of the present applicant is mentioned in the FIR; however, the specific role attributed to him is of firing along with the co-accused persons, despite the fact that no injury whatsoever was caused to any member of the police party. The allegation against the applicant is general in nature and no empty cartridge or any other incriminating material has been secured from him so as to connect him with the commission of the alleged offence. It further appears that the incident had allegedly taken place during a police encounter at a public place, yet no independent person from the locality was associated with the proceedings. The question as to whether the applicant actually participated in the commission of the offence or has falsely been implicated on account of previous enmity or ulterior motives can only be determined after recording evidence at the trial.

5. Prima facie, the story narrated in the instant case appears to be hard to believe. Even otherwise, in the absence of any injury to the police officials, the offence under Sections 324 and 353, PPC is yet to be proved by the prosecution. Admittedly, there is only a general allegation against the applicant and no specific role has been assigned to him.

6. Accordingly, the interim pre-arrest bail earlier granted to the applicant is hereby confirmed, subject to enhancement of surety from Rs.50,000/- (Rupees Fifty Thousand) to Rs.100,000/- (Rupees One Hundred Thousand), along with P.R. bond in the like amount to the satisfaction of the Additional Registrar of this Court.

JUDGE

Adnan Ashraf Nizamani