HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-385 of 2026

(Shahid Ali vs. The State)

Applicant	:	Shahid Ali s/o Muhammad Ishaque Through Mr. Mehfooz Ali Laghari, Advocate.
Respondent	:	The State Through Mr. Ghulam Abbas Dalwani, D.P.G.
Date of hearing	:	03.11.2026
Date of Order	:	03.11.2026

O R D E R

NISAR AHMED BHANBHRO, J: Through the instant bail application, applicant Shahid Ali, seeks pre-arrest bail under Section 498 Cr.P.C in F.I.R bearing Crime No.08 of 2026, registered at Police Station Girhore Sharif for offence punishable under Sections 324, 337-A(i), 337-F(i), 504, 34 PPC. His earlier application for pre-arrest bail was dismissed by the learned Additional Sessions Judge-II, Mirpurkhas vide order dated 18-06-2026 passed in Criminal Bail Application No. 630 of 2026, whereafter he invoked the jurisdiction of this Court.

2. The brief facts of the prosecution case as per F.I.R., lodged by complainant Piyar Ali Khaskheli on 31-05-2026 at P.S Girhore Shareef are that Shahid Khaskheli party is their relatives. Some time ago they shared photos of their ladies on social media, therefore they made complaint to the notables of *brothery* against them, due to which they were annoyed. On 28-05-2026 he alongwith his brother Sohail Ahmed came at Girhore Sharif, where Sohail Ahmed was getting his hair cut and beard trimmed at the shop of Achi Kolhi; meantime at 1430 hours on two motorcycles Shahid having lathi, Khano having iron rod, Shan and Naeem came there and after abusing, Shahid Khaskheli caused back side of hatchet blows to Sohail Ahmed on head and other parts of his body with intention to commit his murder. On their cries, Niaz Muhammad and other locality people came there; on seeing them accused persons fled away on their motorcycles towards Eastern side. After obtaining letter for treatment from the police station they brought injured at R.H.C Phulladiyoon where after providing first aid injured was referred to Mirpurkhas and he was admitted at D.H.Q Hospital Mirpurkhas. Then complainant came at Police Station and lodged instant F.I.R.

3. Learned counsel for the applicant contended that F.I.R is delayed by three days without any plausible explanation; that admittedly there was previous dispute/ enmity between the parties, therefore, applicant has been falsely implicated in this case by the complainant; that Medical Officer declared the injuries on the person of Sohail Ahmed for the offences punishable u/s 337-A(i) and 337-F(ii) P.P.C, which offences do not come within the ambit of prohibitory clause of section 497(1) Cr.P.C, whereas applicability of section 324 P.P.C in the alleged offence requires further inquiry. Lastly, he prayed for the confirmation of bail to the applicant/ accused.

4. Learned D.P.G conceded that the injuries to injured Sohail Ahmed were declared by the Medical Officer for the offences punishable u/s 337-A(i) and 337-F(ii) P.P.C which do not come within the ambit of prohibitory clause of section 497(1) Cr.P.C.

5. Heard arguments and perused the record. Perusal of record shows that the injuries alleged in the F.I.R, declared by the Medical Officer, fall within the ambit of offences under sections 337-F(ii) and 337-A(i) P.P.C, which are punishable upto five years; as such do not attract prohibitory clause of section 497(1) Cr.P.C, whereas applicability of section 324 P.P.C in the alleged offence requires evidence at trial. The F.I.R was lodged with a delay of about 03 days without any plausible explanation and such unexplained delay in the back ground of admitted enmity between the parties makes the case of the applicant as one of further inquiry. Moreso, investigation has been completed and applicant is not required for investigation purpose.

6. Learned D.P.G, in view of above position, also conceded to the grant of bail.

7. Accordingly, in view of above, interim pre-arrest bail granted to applicant Shahid Ali s/o Muhammad Ishaque vide order dated 14.07.2026 is hereby **confirmed** on the same terms and conditions.

8. The instant bail application stands **allowed** accordingly.

JUDGE

Saleem