

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
Cr.B.A No.943 of 2015

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Date                      Order with signature(s) of Judge(s)  
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For hearing of Bail Application

04.12.2015.

Mr. M. Qadir Khan, advocate for the Applicant.

Mr. Shafiq-ur-Rehman, Gandapur, advocate for the Complainant.

Ms. Rahat Ahsan, A.P.G.

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The applicant/accused is facing trial in crime No.941/2010 under Section 324/34 PPC P.S Jackson, Karachi.

Heard the learned counsel for applicant, counsel for the complainant as well as A.P.G, my observations are as follow:-

- i. Learned counsel for the complainant has conceded that the medical report has confirmed injury only punishable under Section 337-F and the punishment is only three years or fine.
- ii. The trial Court has only been persuaded to refuse bail on the ground that accused has absconded from the Court after attaining bail before arrest.
- iii. There are other reasons such as enmity between the parties because of some relation between the accused and the complainant.
- iv. Admittedly no injury was caused at the vital part of the body.
- v. It is settled law by the Hon'ble Supreme Court that mere absconsion from the proceeding of trial Court is not sufficient to decline bail.

In view of the above circumstances, applicant is admitted to bail subject to furnishing solvent surety in the sum of Rs.3,00,000/- and P.R bond in the like amount to the satisfaction of the trial Court.

The above bail order has been passed in compliance with the directions of the Hon'ble Supreme Court as contained in the case of Muhammad Shakeel..Vs..The State (PLD 2014 SC 458), whereby I have not reproduced the entire contents of the FIR as well as the details of the arguments so raised by the learned Counsel for the applicant as well as learned A.P.G.

Needless, to mention here that the observations made hereinabove are tentative in nature and should not influence trial Court while deciding the case of the applicant/accused.

JUDGE

SM