

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Bail Application No.S-395 of 2015

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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For hearing

22.05.2017.

Mr. Ghulam Asghar Mirbahar, Advocate for applicants.

Mr. Shahid Ahmed Shaikh, A.P.G.

Applicant are present on present on interim pre-arrest bail granted to them by this Court vide order dated 09.04.2015. Today this bail application is fixed for confirmation or otherwise.

The allegations against the applicants are that at the time of alleged incident the applicants have allegedly made firing upon the police party. It appears from the record that during this encounter nobody has received injury from either side. The case has been challaned under Crime No. 09/2015 of P.S Naukot under Section 324, 353, 427, 147, 148, 149 PPC. It reveals that in this matter only charge has been framed but still no prosecution witness has been examined by the Trial Court since then the applicants are wondering for appearing before this Court as well as before the Trial Court. Even otherwise, the Sections under which the present applicants/accused have been booked are eitherailable or their punishment do not fall within the prohibitory clause of section 497 Cr.P.C. It is yet to be determined at the time of trial whether the bullet hit to the police mobile was in fact hit at the firing of accused persons. This fact requires further probe.

Learned A.P.G. in view of the above though opposed this bail application but he has not been able to controvert the above factual legal position.

In view of above, all the applicants have made out the case for further inquiry. Under these circumstances, interim pre-arrest bail already granted to the applicants by this Court on 09.04.2015 is confirmed on the same terms and conditions with

direction to the applicants to appear before the Trial Court to face the trial. Copy of this order be sent to the Trial Court for information.

Bail application disposed of.

JUDGE

Ali Haider

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Miscellaneous Application No.S-413 of 2016

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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22.05.2017.

Mr. Raja H. R Naurang advocate for applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G.

S.H.O P.S Nanagarparkar has submitted report alongwith certain documents,  
which is taken on record. Copy whereof supplied to the Counsel for applicant.

In this matter, alleged detainee has still not been recovered. Under the  
circumstances, respondent No.2 is directed to make his hectic efforts for recovery and  
production of alleged detainee before this Court for recording his statement.

Adjourned to 21.06.2017.

JUDGE

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Bail Application No.S-819 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Mr. Shoukat Ali Kaka, Advocate for applicant.

Mr. Shahid Ahmed Shaikh, A.P.G alongwith Naeemullah Jatoi, DAD  
NAB Hyd.

Applicant is present on present on interim pre-arrest bail granted to him by this Court vide order dated 30.09.2016. Today this bail application is fixed for confirmation or otherwise.

It is stated by the learned counsel for applicant that applicant was granted interim pre-arrest bail by the Trial Court but the same was recalled mainly on the ground that he remained absent for one date before the Trial Court. He further submits that all accused nominated in F.I.R. No.57/2016 of Police Station Cantonment Hyderabad have already been granted bail by the Trial Court vide its order dated 26.08.2016 and the case of the applicant/accused is also on same facts, therefore, according to him this applicant/accused is also entitled for the same treatment/rule of consistency.

I have perused the case papers with the able assistance of the parties' Counsel and come to this conclusion that in this case challan has been submitted, charge has been framed and trial has already been commenced. All the documentary evidence is with the complainant party. Therefore, there is no apprehension that the applicant/accused would tamper the evidence. This bail application is pending since 29.09.2016 since then applicant/accused is appearing before this Court regularly and he did not jump the bail bond. It also appears from the record that this applicant/accused is also attending the Trial Court viz. 8<sup>th</sup> Civil Judge & Judicial Magistrate, Hyderabad.

It appears from the record that all the sections as alleged in the F.I.R. are either bailable or their punishment do not fall within the prohibitory clause of section 497 Cr.P.C. Grant of bail in the circumstances is rule and refusal an exception. No any exceptional circumstances has been pointed out by the learned A.P.G to withhold the bail

In view of above, I do not find any reason to believe that any fruitful purpose will be served if the interim pre-arrest bail already granted to the applicant/accused on 30.09.2016 is not confirmed.

Learned A.P.G. though opposed this bail application but has not been able to controvert the factual and legal position.

Under these circumstances, interim pre-arrest bail already granted to the applicant by this Court on 30.09.2016 is confirmed on the same terms and conditions with direction to the applicant to appear before the Trial Court to face the trial. Copy of this order be sent to the Trial Court for information.

Bail application disposed of.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-956 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Mr. Muhammad Sachal R. Awan, Advocate for applicant.

Mr. Shahid Ahmed Shaikh, A.P.G.

It is stated by the learned Counsel for the applicant that he could not inform the accused for today’s hearing , therefore, his absence for today only may be condoned.

Order accordingly.

Adjourned to 04.07.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-956 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Mr. Muhammad Sachal R. Awan, Advocate for applicant.

Mr. Shahid Ahmed Shaikh, A.P.G.

It is stated by the learned Counsel for the applicant that he could not inform the accused for today’s hearing , therefore, his absence for today only may be condoned.

Order accordingly.

Adjourned to 04.07.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-237 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Mr. Shahid Ahmed Shaikh, A.P.G.

None present for applicant.

Adjourned to a date in office.

JUDGE



ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-250 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. for orders on office objection and reply by learned counsel for applicant.
- 2. For orders on M.A 2319/17
- 3. For hearing.

22.05.2017.

Mr. Shahid Ahmed Shaikh, A.P.G.

None present for applicant.

Adjourned to a date in office.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-320 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing.

22.05.2017.

Mr. Muhammad Saleem Laghari, Advocate for applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G.

Issue notice to complainant and I.O of the case to bring all relevant record.

Adjourned to 21.06.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-367 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A 3614/17
- 2. For orders on M.A 3615/17
- 3. For hearing

22.05.2017.

Mr. Pervaiz Tariq Tagar, Advocate for applicant.

- 1. Urgency is grnated.
- 2. Exemption is granted subject to all just exceptions.
- 3. Notice to A.P.G and complainant for 06.06.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-370 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A 3723/17
- 2. For orders on office objection
- 3. For hearing

22.05.2017.

Mr. Ghulam Mustafa Abbasi, Advocate for applicant.

- 1. Urgency is grnated.
- 2. Deferred for the time being.
- 3. Notice to A.P.G and complainant for 12.06.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-376 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A 3723/17
- 2. For orders on M.A 3724/17
- 3. For hearing

22.05.2017.

Mr. Muhammad Zainuddin Baloch, Advocate for applicant.

- 1. Urgency is grnated.
- 2. Exemption is granted subject to all just exceptions.
- 3. Notice to A.P.G and complainant for 12.06.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Appeal No.S-247 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
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For regular hearing

22.05.2017.

Mr. Muzaffar Sadiq Bhatti, Advocate for appellants.  
Syed Tariq Ahmed Shah, Advocate for complainant.  
Mr. Shahid Ahmed Shaikh, A.P.G.

By consent adjourned to 09.06.2017 at 11:00 a.m.

JUDGE

Ali Haider

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Jail Appeal No.S-182 of 2006

DATE	ORDER WITH SIGNATURE OF JUDGE
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For regular hearing

22.05.2017.

Mr. Nadir Hussain Junejo, Advocate for appellants.  
Mr. Shahid Ahmed Shaikh, A.P.G.

Appellants Sharif and Qadir Bux are present on bail.

It is 02-00 p.m. Court time is already over. For want of time adjourned to  
09.06.2017. To be fixed as per roster.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-1253 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A 3819/17
- 2. For orders on M.A 3820/17
- 3. For orders on M.A 3821/17

22.05.2017.

Mr. Khadim Hussain Laghari, Advocate for the applicant.

- 1. Urgency is granted.
- 2. Exemption is granted subject to all just exceptions.
- 3. Notice to A.P.G for 15.06.2017. In the meantime, Accountant of this Court is directed to submit his report.

\ JUDGE



ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Acquittal Appeal No.S-03 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A 3765/17

22.05.2017.

Mr. Moula Bux Rahoo, Advocate for the appellant.

Urgency is granted. To come up on 08.06.2017 with due notice to all concerned.

、 JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Jail Appeal No.S-114 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A 3816/17
- 2. For orders on M.A 3817/17

22.05.2017.

Mr. Nasir Khan, Advocate for the appellant.

- 1. Urgency is granted.
- 2. Notice to other side for 13.06.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Miscellaneous Application No.S-136 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A 3818/17

22.05.2017.

Mr. Muhammad Sachal R. Awan, Advocate for applicant.

Urgency is granted. To come up on 30.05.2017 with notice to respondent No.3 to be served through S.H.O P.S Tando Allahyar. Also notice to A.P.G. To be fixed as per roster.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Appeal No.S-01 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A 3769/17

22.05.2017.

Mr. Muhammad Safar Khokhar, Advocate for the appellant.

Urgency is granted. To come up on 29.05.2017 with notice to all concerned.

JUDGE

Ali Haider

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Appeal No.S-04 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A 3768/17

22.05.2017.

Mr. Muhammad Safar Khokhar, Advocate for the appellant.

Urgency is granted. To come up on 29.05.2017 with notice to all concerned.

JUDGE

Ali Haider

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Appeal No.S-102 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A 3837/17

22.05.2017.

Mr. Ahsan Gul Dahri, Advocate for the appellant.

Urgency is granted. To come up on 26.05.2017. Issue notice to complainant to be served through concerned S.H.O. Also notice to A.P.G.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Acquittal Appeal No.S-104 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A 3839/17
- 2. For orders on office objection
- 3. For orders on M.A 3840/17
- 4. For orders on M.A 3841/17

22.05.2017.

Mr. Malik Imran Javed, Advocate for appellant.

- 1. Urgency is grnated.

2to4. Learned Counsel for appellant shall satisfy this Court with regard to maintainability of this Criminal Acquittal Appeal as far as the limitation is concerned.

To come up on 02.06.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-132 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A 3822/17

22.05.2017.

Mr. Irfan Ali Bughio, Advocate for the applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G.

Urgency is granted.

Learned Counsel for applicant under the instructions of applicant does not  
press this Criminal Bail Application, which is dismissed as not pressed.

JUDGE



ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal transfer application No.S-61 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A 3783/17
- 2. For orders on office objection
- 3. For orders on M.A 3784/17
- 4. For Katcha Peshi.
- 5. For orders on M.A 3785/17

22.05.2017.

Mr. Mazhar Ali Laghari advocate for applicant

- 1. Urgency is granted.
- 2. Office objection shall be considered on the next date of hearing
- 3. Exemption is granted subject to all just exceptions.
- 4&5. Let notice be issued to the respondents No.2 to 5 and A.P.G for 15.06.2017. In the meantime, call comments from respondent No.1.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Acquittal Appeal No.S-84 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A 3838/17
- 2. For orders on M.A 2985/17
- 3. For orders on M.A 2986/17
- 4. For orders on M.A 2987/17
- 5. For Katcha Peshi.
- 6. For orders on M.A 2988/173

22.05.2017.

Mr. Suneel Kumar Maheshwari, Advocate for appellant.

- 1. Granted.
- 2. Disposed of having become infructuous.
- 3to6. Notice to respondents and APG for 21.06.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Acquittal Appeal No.S-41 of 1998

DATE	ORDER WITH SIGNATURE OF JUDGE
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For regular hearing

22.05.2017.

Mr. Shahid Ahmed Shaikh, A.P.G.

None present for appellant.

It is 02-05 p.m. Court time is already over. For want of time, adjourned.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Acquittal Appeal No.S-288 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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For regular hearing

22.05.2017.

Mr. Ahsan Gul Dahri, Advocate for the  
Mr. Shahid Ahmed Shaikh, A.P.G.

None present for respondents. Issue fresh notice to the private respondents to  
be served through S.H.O P.S Daulatpur for 16.06.2017.

JUDGE

Ali Haider

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Revision Application No.S-36 of 2004

DATE	ORDER WITH SIGNATURE OF JUDGE
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For regular hearing

22.05.2017.

Mr. Shahid Ahmed Shaikh, A.P.G.

Appellant is present on bail but his Counsel is called absent.

It is 02-10 p.m. Court time is already over. For want of time, adjourned to  
30.06.2017.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-391 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
1. For orders on M.A 3814/17	
2. For orders on M.A 3815/17	
3. For hearing	
<u>22.05.2017.</u>	

Mr. Muhammad Issa Behan, Advocate for applicants.

1. Urgency is granted.
2. Exemption is granted subject to all just exceptions.
3. Applicants/accused are present alongwith their Advocate who has been heard for grant of ad interim pre-arrest bail in their favour in Crime No.09 of 2017 registered under Section 364,34 PPC at P.S Rahuki Hyderabad.

It is stated by the learned counsel for the applicants/accused that case against the applicants is false and has been registered due to enmity besides according to him in fact the applicants have not played any role in the commission of offence but local police is after them to arrest them in this case. He further submitted that the applicants have applied for grant of pre-arrest bail before the Trial Court but the same was dismissed vide order dated 17.05.2017 without assigning any good reason.

Contentions raised needs consideration. As such without touching the merits and de-merits of the case applicants/accused are admitted to ad interim pre-arrest bail subject to furnishing solvent surety in the sum of Rs.50,000/- each and P.R Bond in the like amount to the satisfaction of Additional Registrar of this Court.

Notice to complainant and A.P.G. Hearing on 02.06.2017 for confirmation or otherwise.

JUDGE

Ali Haider

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Bail Application No.S-392 of 2017

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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- 1. For orders on M.A 3823/17
- 2. For hearing

22.05.2017.

Mr. Jawaid Choudhry, Advocate for applicants.

- 1. Urgency is granted.
- 2. Applicants/accused are present alongwith their Advocate who has been heard for grant of ad interim pre-arrest bail in their favour in Crime No.47 of 2017 registered under Section 302,337-A(i), 147, 148, 149, 504 PPC at P.S Jhudo.

It is stated by the learned counsel for the applicants/accused that case against the applicant is false and has been registered due to enmity besides according to him as per F.I.R. the applicants have not played any role in the commission of offence despite of this fact the local police is after them to arrest them in this case. He further submitted that the applicants have applied for grant of pre-arrest bail before the Trial Court but the same was dismissed vide order dated 17.05.2017 without assigning any good reason.

Contentions raised needs consideration. As such without touching the merits and de-merits of the case applicants/accused are admitted to ad interim pre-arrest bail subject to furnishing solvent surety in the sum of Rs.50,000/- each and P.R Bond in the like amount to the satisfaction of Additional Registrar of this Court.

Notice to complainant and A.P.G. Hearing on 05.06.2017 for confirmation or otherwise.

JUDGE

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Bail Application No.S-967 of 2016

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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22.05.2017.

Mr. Hussain Bux Solangi, Advocate for applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G.

Through instant application, the applicant seeks pre-arrest bail in Crime No. 206 of 2016 of P.S Shahdadpur for offence punishable under Section 337-A(ii), 504, 34 PPC.

Learned counsel for applicant submits that applicant/accused is innocent and he has been involved in this case by the complainant due to previous enmity. He further submits that there is delay of 9 days in lodging the F.I.R. which has not been explained by the complainant in the F.I.R. He also submits that the offence does not fall within the ambit of prohibitory clause of section 497(1) Cr.P.C. He further submits that in this matter challan has been submitted and applicant/accused is regularly appearing before the Trial Court.

Learned A.P.G tough opposed this bail application but has failed to controvert the submissions as raised by the learned Counsel for the applicant.

This bail application has been filed on 14.11.2016 since then the applicant/accused is also appearing before this Court regularly and he did not jump the bail bond. Since the challan has been submitted, trial has already been commenced and the offence as alleged in the F.I.R. either bailable or their punishment do not fall within the prohibitory clause of section 497 Cr.P.C, therefore, under the circumstances grant of bail is rule and refusal an exception. Learned A.P.G. did not point out any exception clause to withhold the bail.

Under these circumstances, interim pre-arrest bail already granted to the applicant by this Court on 14.11.2016 is confirmed on the same terms and conditions



with direction to the applicant to appear before the Trial Court to face the trial. Copy of this order be sent to the Trial Court for information.

Bail application disposed of.

JUDGE

Ali Haider

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-14 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Syed Babar Ali Kazmi, Advocate for applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G.

The Superintendent, Special Prison Nara Hyderabad has submitted medical report of applicant Zafar Abbas, which is taken on record. Learned A.P.G claims copy of the said report. Office is directed to provide a copy of the medical report to the learned A.P.G.

It is stated by the counsel for applicant that applicant is in jail for the last one year and suffering from hepatitis therefore a short date may be given to him.

In the interest of justice, adjourned to 31.05.2017 to be fixed as per roster. In the meantime, office is directed to issue notice to the complainant to appear in person alongwith record.

JUDGE

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Bail Application No.S-14 of 2017

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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22.05.2017.

Syed Babar Ali Kazmi, Advocate for applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G.

The Superintendent, Special Prison Nara Hyderabad has submitted medical report of applicant Zafar Abbas, which is taken on record. Learned A.P.G claims copy of the said report. Office is directed to provide a copy of the medical report to the learned A.P.G.

It is stated by the counsel for applicant that applicant is in jail for the last one year and suffering from hepatitis therefore a short date may be given to him.

In the interest of justice, adjourned to 31.05.2017 to be fixed as per roster. In the meantime, office is directed to issue notice to the complainant to appear in person alongwith record.

JUDGE

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Revision Application No.S-63 of 2016

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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For Katcha Peshi.

22.05.2017.

Mr. Muhammad Zahid Chohan, Advocate for applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G.  
Respondent No.5 present in person.

It is stated by the learned A.P.G. that this Criminal Revision Application is not maintainable in view of the fact that the applicant Muhammad Haroon Khilji has filed Criminal Complaint No.84 of 2012 (Re: Muhammad Haroon Khilji v. Irshad Ahmed Memon and others) under Section 3,6,7 and 8 of Illegal Dispossession Act, which was dismissed by the learned III Additional Sessions Judge Hyderabad vide judgment dated 27.02.2016.

It appears from the record that this Criminal Revision Application has been filed against the acquittal. On the last date of hearing viz. 17.04.2017 learned Counsel for applicant was put on notice to satisfy this Court with regard to maintainability of this Criminal Revision Application.

I have heard the learned counsel for the parties and perused the record.

During course of arguments I have asked the question from the learned counsel for the applicant that how this Criminal Revision Application is maintainable in view of the statutory provisions provided under Section 417 Cr.P.C. He has no answer with him. I have again asked the question from him that a civil suit in respect of the same property is already pending before the learned 5<sup>th</sup> Senior Civil Judge, Hyderabad in which applicant is party why he is not going to agitate his grievance before that Court. He again no answer with him.

Admittedly, respondents have been acquitted vide judgment dated 27.02.2016 but against that acquittal order instead of filing an appeal the appellant has filed this Criminal Revision Application, which is not maintainable and the same is dismissed accordingly. However, admittedly the civil suit is pending before the Trial Court and the applicant is at liberty to approach to the Trial Court for redressal of his grievance.

JUDGE

Ali Haider

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Acquittal Appeal No.S-18 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Katcha Peshi.

22.05.2017.

Mr. Irfan Ali Bughio, Advocate for respondents No.1 to 5.  
Mr. Shahid Ahmed Shaikh, A.P.G.

This Criminal Acquittal Appeal is called for hearing. Neither appellant nor his Counsel present. No intimation received. It is now 12:00 noon. Same was the position on the last two dates of hearing viz. 18.05.2017 and 19.05.2017. On 19.05.2017 following order was passed.

“None present on behalf of appellant. No intimation received. It is now 09-40 a.m. Yesterday this matter was fixed when Mr. Ayaz Ali Rajpar, Advocate, held brief on behalf of Mr. Syed Shahzad Ali Shah, Advocate for appellant, and requested for date, therefore, this matter was fixed for today with direction to the appellant to proceed the matter but today none is present. However, as an indulgence and in the interest of justice this matter is again adjourned to 22.05.2017 at 11:00 a.m. with a note of caution that in case on next date of hearing none has appeared on behalf of applicant the matter shall be decided on the basis of available material on record in accordance with law. Office is directed to issue notice of intimation to Mr. Shahzad Ali Shah, Advocate for appellant.”

This Criminal Acquittal Appeal has been filed on 10.02.2014 since then diary sheets show that the appellant is not pursuing this appeal diligently. Intimation notice was issued to the appellant as well as his Counsel for their appearance today but as observed above none is in attendance on their behalf.

Learned Counsel respondents submits that Counsel for appellant has informed him that appellant has lost interest in the matter.

I have also gone through the material available on record with the assistance of learned APG as well as Counsel for the respondents and come to this conclusion that

the impugned judgment dated 23.01.2014 has been passed by the Trial Court after due appreciation of the facts and the evidence produced on record. The finding of the Trial Court is based on evidence and well reasoned, therefore, this appeal merits no consideration which is dismissed.

**JUDGE**

Ali Haider

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Acquittal Appeal No.S-18 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Mr. Muhammad Sachal R. Awan, Advocate for

- 1. Urgency is granted.
- 2. Learned Counsel for applicant has filed a statement alongwith certified true copy of the charge sheet, which is taken on record. Therefore, in view of the statement filed today, office objection is overruled.
- 3. Exemption is granted subject to all just exceptions.
- 4. Notice to the respondents No.2,3 and A.P.G for 08.06.2017. In the meantime, call comments from respondent No.1.

JUDGE



ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Miscellaneous Application No.S-456 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Syed Tariq Ahmed Shah, Advocate for applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G.

None present for respondent No.1. No intimation received. As an indulgence this time matter is adjourned to 30.06.2017 with a note of caution that in case on next date of hearing nobody has appeared on behalf of respondent No.1 appropriate orders shall be passed.

Learned Counsel for the applicant submits that Criminal Miscellaneous Applications No.453, 454 and 455 of 2016 are also connected with this case, which have not been fixed today therefore, office may be directed to fix all the four Criminal Miscellaneous Applications together on 30.06.2017. Order accordingly.

JUDGE

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Miscellaneous Application No.S-07 of 2017

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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22.05.2017.

Mian Taj Muhammad Keerio, Advocate for applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G alongwith SIP Fida Hussain Mallah,  
Additional S.H.O P.S Satellite Town, Mirpurkhas.

Additional S.H.O P.S Satellite Town Mirpurkhas is present on behalf of S.H.O and placed on record a statement to the effect that he visited the given address of the respondents but they were not available there. Report is taken on record.

On the last date of hearing, SSP Mirpurkhas was also directed to recover and produce the alleged detainee before this Court but today no reply has been filed on his behalf. Repeat notice to SSP Mirpurkhas with direction to make his hectic efforts for recovery of alleged detenue and her production before this Court with his report. Office is directed to supply copy of this order to learned A.P.G for compliance.

Adjourned to 30.05.2017. To be fixed as per roster.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Revision Application No.S-10 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on office objection
- 2. For orders on M.A 1049/17
- 3. For Katcha Peshi.

22.05.2017.

Mr. Abdul Mueed Shaikh, Advocate for applicant.  
Mr. Shahid Ahmed Shaikh, A.P.G.

At the very outset the learned counsel for applicant submits that he would be satisfied and shall not press this Criminal Revision Application if appropriate directions are given to the Trial Court to decide the case under Crime No. 375/2016 within a period of one month as according to him the car has been allegedly involved in this crime.

The above proposition has not been opposed by the learned A.P.G.

In view of above, this Criminal Revision Application is disposed of alongwith listed application with direction to the Trial Court to decide the case under Crime No. 375/2016 on merits within one month from the date of receipt of this order with further direction to also decide the fate of the car which is subject matter of this case.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Revision ApplicationNo.S-15 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Mr. Shahid Ahmed Shaikh, A.P.G.

Mian Taj Muhammad Keerio, Advocate, holding brief on behalf of Mr. Zulfiqar Ali Abbasi, Advocate for applicant, who is said to be unwell today, requests for a date. Request is allowed. Adjourned to a date in office.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Miscellaneous Application No.S-31 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Mian Taj Muhammad Keerio, Advocate for applicant.  
Mr. Raja H. R Naurang advocate for respondent No.1.  
Mr. Shahid Ahmed Shaikh, A.P.G.

Mr. Raja H. R Naurang advocate for respondent No.1 has already filed his vakalatnama on behalf of respondent No.1. He submits that he still has not received copy of the application for which he requests that the same may be supplied to him. Learned Counsel for applicant undertakes to supply the same today.

Adjourned to 26.06.2017. To be fixed as per roster.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal transfer application No.S-53 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A 3495/17
2. For orders on office objection
3. For orders on M.A 3496/17
4. For Katcha Peshi.

22.05.2017.

Mr. Poonjo Ruplani, Advocate for applicant.

ABDUL MAALIK GADDI, J:

1.     Granted.
2.     Overruled.
3.     Exemption is granted subject to all just exceptions.
4.     Through this criminal transfer application the applicant has prayed that this Honourable Court may be pleased to transfer the Sessions Case No.53/2017 (Re: Roopo and others v. The State) in Crime No.03/2017, under Sections 302, 394, 34 PPC of P.S Kario Ghanwar from the Court of learned IInd Additional Sessions Judge, Badin to Sessions Judge Tando Muhammad Khan or Sessions Judge, Hyderabad on the ground that the learned Sessions Judge Badin in very harsh manner granted bail to accused persons who are notorious criminals and involved in dozen of the cases of robbery and dacoity and they are habitual robbers; that the applicant is very poor person and belongs to the Hindu Community while the respondents No.1 to 4 are issuing threats while visiting the Courts in relation of the evidence; that the learned Sessions Judge Badin after granting the bail, transferred the case to the learned Additional Sessions Judge Badin for trial; that the respondents No.1 to 4 after release

on bail, misused the concession of bail and threatened the complainant and his witnesses and they are interfering in the trial hence their bail is liable to be cancelled.

Learned Counsel for the applicant has been heard. During course of the arguments he has reiterated the same facts and grounds as mentioned in the transfer application.

I have carefully examined the contents of the transfer application and documents annexed thereto. I find that the allegations made in the application are vague and general in nature and such type of allegation cannot be made the ground of transfer. I have gone through the case of Shah Jehan v. Special Judge Anticorruption and others reported as NLR 1993 Criminal 35). In my view, while transferring the matter from one court to another, justice should not only be done but should appear to have been done. In such circumstances the presiding officer should equally be protected from frivolous transfer applications in order to achieve transparent even-handed justice so that one of the litigants should not be in a position to overpower the presiding officer which might ultimately result in titling scales of justice under fear and malignity. It is further held in the aforesaid case that, while exercising jurisdiction to transfer of cases from subordinate Courts, balance has to be struck in order to ensure that the cases were not transferred merely on the basis of suppositions, unfounded and conjectural apprehensions. Besides this case is at initial stage. Both parties are resident of same district. No evidence is on record that on which date and time and before whom the accused have issued threats to applicant.

In view of the above circumstances, I am of the view that vague and unfounded allegations have been leveled against the presiding officer which cannot be made basis of transfer of case. Accordingly, transfer application stands dismissed.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal transfer application No.S-55 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A 3609/17
- 2. For orders on office objection
- 3. For orders on M.A 3610/17
- 4. For Katcha Peshi.

22.05.2017.

Mr. Muhammad Sachal R. Awan, Advocate for applicant.

- 1. Urgency is granted.
- 2. Learned Counsel for applicant has filed a statement alongwith certified true copy of the charge sheet, which is taken on record. Therefore, in view of the statement filed today, office objection is overruled.
- 3. Exemption is granted subject to all just exceptions.
- 4. Notice to the respondents No.2,3 and A.P.G for 08.06.2017. In the meantime, call comments from respondent No.1.

JUDGE



ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Revision Application No.S-08 of 2014  
Criminal Revision Application No.S-09 of 2014  
Criminal Revision Application No.S-11 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Mr. Jagdish R. Mullani, Advocate for applicant.  
Mr. Mushtaque Ahmed Arain, Advocate for private respondents.  
Mr. Shahid Ahmed Shaikh, A.P.G.

In pursuance of the order dated 09.05.2016, fresh report has already been filed by the Mukhtiarkar (Revenue) Taluka Dour, which is on record.

There is a short controversy involved in this Criminal Revision Application. In order to resolve the controversy, the Mukhtiarkar (Revenue) Taluka Dour is directed to appear in person alongwith all relevant record on the next date of hearing.

Office is directed to provide a copy of this order to the learned A.P.G.

To come up on 28.06.2017. To be fixed as per roster.

JUDGE

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Revision Application No.S-90 of 2011

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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22.05.2017.

Mr. Ishrat Ali Lohar advocate for applicant.  
Mr. Muhammad Ishaque Khoso, advocate for private respondents.  
Mr. Shahid Ahmed Shaikh, A.P.G.

As per direction of this Court, Mukhtiarkar Taluka Badin has already filed his fresh report dated 13.01.2017. Counsel for respondents as well as APG claim copies of the said report. Learned counsel for applicant has supplied the requisite copies to the learned counsel for respondents and A.P.G who request for date to go through the same.

Adjourned to a date in office.

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Revision Application No.S-83 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.05.2017.

Mr. Shahid Ahmed Shaikh, A.P.G.

Mr. Muhammad Anwar Sangi, Advocate, holding brief on behalf of Mr. K.B  
Lutuf Ali Laghari, Advocate for applicant, who is said to be out of station, requests  
for a date. Request is allowed. Adjourned to a date in office.

JUDGE