

*Order Sheet*  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**Cr. Bail Application No. 932 of 2019**

---

Date	Order with Signature of Judge
------	-------------------------------

---

1. FOR ORDERS ON OFFICE OBJECTION AS AT 'A'.
2. FOR HEARING OF BAIL APPLICATION.

Date of short order:            15.07.2019.

Applicant Amanat Khan through Mr. Muhammad Akbar Khan,  
advocate.  
Complainant Ziauddin through Mr. Ahmed Nawaz, advocate.  
State through Mr. Sagheer Ahmed Abbasi, APG.

\*\*\*\*\*

**ORDER**

**FAHIM AHMED SIDDIQUI, J:-** This order will dispose of the instant bail application filed on behalf of the applicant/accused Amanat Khan, who is facing trial in case registered against him on the basis of FIR No. 08/2017 under Sections 320/34 PPC.

2. After pondering over the submissions made by the learned counsel for the applicant and the learned prosecutor as well as the learned counsel for the complainant and considering the record, I have observed as under:

- (a) The allegation against the applicant is that he and the other co-accused are instrumental in the murder of his daughter-in-law namely Mst. Ayesha (daughter of the complainant Shaikh Ziauddin) by strangulating her and tried to give the incident a commission of suicide by the deceased woman.
- b) That the alleged incident was taken place on 05.01.2017 at about 0130 hours and reported on the same day with a delay of about 15 hours at 1625 hours.
- (b) The applicant, who is an old age person having age of 60/65 years, was arrested on the day of lodging of FIR and since then he is continuously under custody, as such more than the statutory period i.e. two years and six months have passed in jail.

- c) Previously, his two bail applications filed before this Court were declined with the direction to the trial Court to record the evidence of material witnesses within a period of two months, but the said directions could not be complied with.
- d) As per the charge-sheet there are 20 prosecution witnesses and out of them only the complainant has been examined. Reliance is placed on PLD 2017 SC 147 (A).
- e) Other lady co-accused namely Ambreen was admitted to bail by the trial Court, while another lady co-accused namely, Mst. Zahida Parveen was admitted to bail by this Court.

3. The upshot of the above discussion is that the applicant is entitled for concession of bail, as such the instant bail application is allowed and the applicant is admitted to bail subject to furnishing surety of Rs.100,000/- (One Hundred Thousand) up to the entire satisfaction of the trial Court.

4. Before parting, I would like to make it clear that if the applicant after getting bail will not appear before the trial Court and the trial Court is satisfied that the applicant becomes absconder and fugitive to law, then the trial Court is fully competent to take every action against the applicant and his surety including cancellation of bail without making a reference to this Court.

5. These are the reasons for short order dated 18-07-2019 and I would like to make it clear that the above observations are purely tentative in nature, and the same is only meant for the disposal of instant bail application and would have no impact or effect on either party's case during trial.

**JUDGE**

Dated: \_\_\_\_\_