

Order Sheet
IN THE HIGH COURT OF SINDH AT KARACHI
Cr. Bail Application No. 925 of 2019
Cr. Bail Application No. 926 of 2019

Date	Order with Signature of Judge
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FOR HEARING OF BAIL APPLICATION.

Date of short order : 19.07.2019.

Applicant Ali Raza through Mr. Nizakat Ali Mirani, advocate.
State through Mr. Sagheer Ahmed Abbasi, APG.

ORDER

FAHIM AHMED SIDDIQUI, J:- This single order will dispose of the two bail applications filed on behalf of the applicant, who is allegedly involved in two criminal cases which have been registered against him in the course of same transection of street crime. The FIR No. 81/2019 registered at PS Shershah, Karachi was lodged regarding offences under Sections 392, 397 & 34 PPC, while at the same PS another FIR No. 82/2019 was lodged under Section 23(1)(a) of the Sindh Arms Act in respect of the weapon allegedly recovered from the applicant in the commission of the offence of robbery allegedly done by the applicant.

2. The learned counsel for the applicant as well as learned Special Prosecutor, Customs and APG argued at length. In the light of their arguments and citations, I have observed as under:

- (a) Concisely, the allegations against the applicant are that applicant and his associate, riding on a bike, intercepted the complainant Faryad Ali, while he was returning from a market. The accused persons on the show of weapon deprived the complainant from his mobile phone and an amount of Rs. 7000/-. On commotion, the people attracted and apprehended the applicant, while his co-accused succeeded in escaping from the scene of offence. The mob maltreated the applicant, however police reached on the spot are arrested the applicant and recovered a pistol from him.

- (b) The applicant is involved in a heinous offence and he was noticed and red-handed apprehended on the spot by the people available there, while crime weapon was also shown to be recovered from him.
- (c) There is no enmity of police, which urged them to falsely involve the applicant in the alleged offences.
- (d) It will make no difference that the name of the applicant is not appearing in CRO. It will make no difference if he is novice offender for the reason that he is involved in street crime, which has made the life of common man miserable.
- (e) In the instant case, one of witness of the memo is a private person, who has no relation to the applicant and his presence in a marketplace is quite rational.
- (f) Since there is a tendency of increment in street crimes; therefore, those who are involved in the same should not be treated as a routine felonious person.

3. In view of the above observation, I am of considered opinion that no case of bail has been made out for the applicant in both the aforementioned cases, hence the same are declined.

4. These are the reasons for my short order dated 19-07-2019 in both the applications. I would like to make it clear that the above observations are purely tentative in nature, and the same is only meant for the purpose of disposal of instant pre-arrest bail application and would have no bearing on either party's case during trial.

Dated:_____

J U D G E

