

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr.B.A.No.S-1123 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on MA-8232/2020
For hearing of main case.

23.11.2020.

Mr. Abdullah K. Laghari, Advocate for applicant.
Ms. Rameshan Oad, A.P.G for the State.
Mr. Muhammad Aslam Solangi, advocate for
complainant.

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1. Urgency granted.
2. It is alleged that the applicant with rest of the culprits not only maltreated but outraged modesty of complainant Mst. Shumaila by tearing her cloth and then went away after insulting her, for that the present case was registered.

The applicant on having been refused post arrest bail by learned 1st Additional Sessions Judge, Tando Allahyar has sought for the same from this court by way of instant application under section 497 Cr.P.C.

It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the complainant party in order to satisfy its matrimonial dispute with her; the FIR of the incident has been lodged with delay of one day and complainant now by filing her affidavit has recorded no

objection to grant of bail to the applicant therefore, the applicant is entitled to be released on bail on point of further enquiry.

Learned counsel for the complainant has recorded no objection to grant of bail to the applicant. However, learned A.P.G. for the State has recorded objection to grant of bail to the applicant by contending that the offence is affecting the society at large.

I have considered the above arguments and perused the record.

The FIR of the incident has been lodged with delay of about one day, such delay having not been explained could not be overlooked. The parties are already disputed over matrimonial affairs. The applicant is a female. The complainant has recorded no objection to grant of bail to the applicant. The case is finally challaned. In these circumstances the applicant is found entitled to be released on bail on point of further enquiry.

In view of above, the applicant is admitted to bail subject to her furnishing surety in sum of Rs.30,000/- and PR bonds in the like amount to the satisfaction of learned trial court.

The instant bail application is disposed of accordingly.

JUDGE