

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

Cr. B.A. No.S-1103 of 2021

1. For order on office objection.
2. For hearing.

28.03.2022

Mr. Altaf Sachal Awan, Advocate for applicants, alongwith the applicants (on interim pre-arrest bail).

Ms. Rameshan Oad, A.P.G alongwith Imdad Ali Soangi DSP Kazi Ahmed, SIP M. Javaid Iqbal SHO of P.S Mirza Pur and ASI Rahib Ali Langa of P.S Mirza Pur.

Mr. Muhammad Jameel Ahmed, Advocate for the complainant.

ORDER

SALAHUDDIN PANHWAR, J.-Through instant bail application, the applicants seek pre-arrest bail in crime No.04 of 2021, registered at Police Station Mirzapur, under sections 496-A, 354-A, 511, 337-F(vi), 337-L(ii), 337-H(ii), 147, 148, 149 PPC.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, need not to reproduce the same hereunder.

3. Learned counsel for the applicants/accused has contended that the applicants are innocent and they have falsely been implicated in this case with mala fide intention and ulterior motives; that there is civil dispute between the parties over landed property; that there is unexplained delay of about 28 days in lodging the FIR; that due to aforementioned dispute instant FIR was registered otherwise no such

incident was taken place; hence, case of the applicants requires further inquiry. Lastly, he prayed for confirmation of interim pre-arrest bail as the applicants have not misused such concession.

4. On the other hand, learned A.P.G appearing for the State as well as learned counsel for the complainant vehemently opposed the grant of pre-arrest bail to the applicants.

5. Heard learned counsel for the applicant, learned A.P.G. appearing for the State and learned counsel for complainant and perused the record as well as the report submitted by DSP present. Per FIR, applicant No.1 Ghulam Hyder allegedly caused injuries of Danda blows on left side of leg as well as other parts of body of Mst. Reshman; similar role is assigned to applicants No.6 and 7 namely Ghulam Abbas and Nek Muhammad; besides, it is alleged that they have attempted to attack on modesty of Mst. Hakimzadi as well as tried to abduct her. Admittedly, civil litigation is pending between both parties. It appears that applicants are involved in series of FIRs. Contents of FIR and investigation report submitted by DSP reflect that whole family members have been arraigned and possibility of false implication of innocent persons cannot be ruled out. Accordingly, interim pre-arrest bail earlier granted to applicants vide order dated 03.12.2021 is hereby confirmed on same terms and conditions.

The bail application stands disposed of.

JUDGE

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