

**IN THE HIGH COURT OF SINDH, AT KARACHI**

Cr. Bail Application No. 978 of 2021

Applicants : 1. Saley Ebrahim Mayet s/o. E. S. Mayet  
2. Gulab Khan s/o. Muhammad Akbar,  
through M/s. Muhammad Munsif Jan and  
Muhammad Safdar, advocates

Respondent : The State, through Mr. Faheem Hussain  
Panhwar, D.P.G.

Complainant : Tahir Rahim s/o Muhammad Rahim,  
(Nemo)

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Date of hearing : 20.04.2022  
Date of order : 20.04.2022  
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**ORDER**

**ZAFAR AHMED RAJPUT, J:-** Through instant Criminal Bail Application, applicants/accused Saley Ebrahim Mayet s/o. E. S. Mayet and Gulab Khan s/o. Muhammad Akbar seek pre-arrest bail in Crime No. 922/2021, registered under section 380, 454, 457, P.P.C at P.S. Preedy, Karachi. The applicants were admitted to interim bail by this Court, vide order, dated 02.06.2021, now the matter is fixed for confirmation or otherwise.

2. It is alleged that during the period of 29<sup>th</sup> May, 2021 to 31<sup>st</sup> May, 2021 the applicants, in furtherance of their common intention, robbed all valuable articles including library containing books valued at Rs.10,00,000/- and cash of Rs.1,00,000/- from office of the complainant Tahir Rahim, bearing No. B-85, Farid Chamber, Abdullah Haroon Road, Saddar, Karachi, for which they were booked in the aforesaid F.I.R.

3. After hearing the learned counsel for the applicants as well as learned D.P.G. and perusing the material available on record, it appears that the applicant No.1, a 75 years old man, is the owner of the building

known as "Farid Chambers", where the alleged office No. 85 is located. The most of the chambers of the said building are let out to advocates. Earlier, on 27.05.2021, one Attaullah Khan advocate, the tenant of the applicant No.1 in said office, filed a rent case bearing No. 593 of 2021, through his attorney Tahir Rahim (*the present complainant*) under section 11 of the Sindh Rented Premises Ordinance, 1979 against him, who claims an amount of Rs, 1,83,000/- being outstanding arrears of rent payable by the said tenant. Contrary to the pleadings of the said rent case, filed by the complainant as attorney of the tenant Attaullah Khan advocate, the complainant has asserted in F.I.R. that he had obtained the said office on rent from the applicant No.1, which apparently shows male fide and ill-will on the part of the complainant in lodgment of the F.I.R. The alleged offence does not fall within the prohibitory clause of section 497, Cr.P.C. The applicants are attending the trial Court regularly after obtaining interim pre-arrest and there is not complaint of misusing of the same by them; hence, the interim bail granted to applicants is confirmed on the same terms and conditions.

Cr. Bail Application stands disposed of.

JUDGE

*Athar Zai*