## ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI

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## Date Order with signature of Judge

<u>Crl. Bail Application No. 1492 of 2013.</u> For hearing of bail Application.

<u>Crl. Bail Application No. 1425 of 2013.</u> For hearing of bail Application.

<u>Crl. Bail Application No. 1426 of 2013.</u> For hearing of bail Application.

<u>Crl. Bail Application No. 1131 of 2017.</u> For hearing of bail Application.

## 20.02.2018

Mr. Aamir Mansoob Qureshi, Advocate for Applicants in Crl. Bail No. 1425 of 2013 and 1426 of 2013. Applicants are present. Mr. Abdullah Rajput, DPG.

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At the outset, learned counsel for the applicants while relying upon 2011 SCMR 1332 [Rehmatullah vs. The State and another] contends that applicants were admitted to interim prearrest bail in 2013 and since then they are regularly attending the trial Court as well this Court; they have not misused the concession of bail extended by this Court and only one witness (I.O.) is to be examined by the trial Court; case is at the verge of conclusion; On this contention, learned DPG also relying upon same judgment, extends his no objection. At this juncture, it would be convenient to reproduce paragraph No.3 of Rehmatullah case (supra) which is that:

3. Heard. The petitioner was granted bail on 21.11.2008, which was cancelled by the learned High Court on 19.03.2009, when according to the order itself the trial was at the verge of conclusion. Learned Additional Prosecutor-General stated that now only one

or two witnesses are yet to be recorded. The courts should not grant or cancel bail when the trial is in progress and proper course for the courts in such a situation would be to direct the learned trial Court to conclude the trial of the case within a specific period. Reference may be made to <u>Haji Abdul Rafique v. Riaz</u> <u>ud Din and another (2008 SCMR 1206)</u>. We find that the impugned order was passed in violation of the law, therefore, we cannot subscribe to it. In view whereof, we are persuaded to allow this petition and direct the learned trial Court to conclude the trial of the case expeditiously.

In view of above proposition of law and contentions of learned counsel for the respective parties, interim pre-arrest bail already granted to the applicants is hereby confirmed on same terms and condition. However, the trial Court is, directed to conclude the trial within two months.

Office to place copy of the this order in connected matters.

JUDGE

SAJID