ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI Crl. Bail Application No. 1922 of 2020

Date Order with signature of Judge

- 1. For orders on office objections at "A".
- 2. For hearing of Bail Application

12th January 2021.

Mr. Abdul Nabi Joyo, Advocate for applicants/accused alongwith applicants/accused.

Mr. Faheem Hussain Panhwar, Deputy P.G. Sindh.

Applicants/accused have been arraigned in FIR No. 527/2020, under Sections 354/506-B/509/117/34 PPC, P.S. Gulshan-e-Maymar Karachi, perusal whereof reflects that complainant alleged that applicants alongwith other accused persons issued threats of dire consequences, they hurled stones in the house and leveled false allegations to disgrace her. The allegations as reflected from FIR require further probe as the same do not attract the outrage of the modesty of a woman, whereas other sections are bailable. Accordingly, interim pre-arrest bail granted to the applicants/accused on 11.12.2020 is hereby confirmed on the same terms and conditions. Trial Court shall proceed with the matter. Applicants present undertake that they will not cause any harassment to the complainant. Office shall transmit the surety papers to the trial Court, where fresh surety bonds shall be accepted. In case of absence trial court shall take action against the surety in accordance with law.

The application is disposed of in the above terms.

JUDGE

Sajid

ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI Crl. Bail Application No. 1599 of 2020.

Date Order with signature of Judge

- 1. For orders on M.A. No. 9703 of 2020.
- 2. For hearing of bail application.

<u>12th January 2021.</u>

Mr. Ali Gohar Masroof, advocate for applicant/accused. Mr. Fahim Hussain Panhar, Deputy P.G. Sindh.

Admittedly, allegation made by the complainant, who is earlier wife of the applicant/accused is with regard to commission of rape, whereas DNA is negative. Accordingly, this is a case of further inquiry; applicant is admitted to post arrest bail subject to furnishing his solvent surety in the sum of Rs.50,000/- and P.R. bond in the like to the satisfaction of the trial Court.

The instant bail application stands disposed of.

JUDGE

Sajid

ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI Crl. Bail Application No. 1723 of 2020 Crl.Bail Application No. 1677 of 2020.

Date

Order with signature of Judge

For hearing of bail application.

<u>12th January 2021</u>

Mr. Saeed Ahmed Awan, advocate for applicant/accused. Mr. Ahmed Ghaffar, advocate for complainant alongwith complaiant. Mr. Fahim Hussain Panhar, Deputy P.G. Sindh.

Heard learned counsel for the applicant/accused.

It is alleged that applicants namely Muhammad Naeem Shafi and Muhammad Naseem Shafi alongwith others caused injuries to the complainant Mst. Zahira. Accused Muhammad Naeem Shafi is husband of complainant. As per medical report there is fracture on left arm of the victim; offence is not falling within prohibitory clause. In view of Tariq Bashir v. State (PLD 1995 Supreme Court 34), it is settled proposition that if case is not falling within prohibitory clause, grant of bail is a rule and its refusal is an exception. Besides, it appers that both brothers are residing in the same building and issue pertains to domestic violence. Accordingly, this is a case of further inquiry; applicant/accused Muhammad Naeem Shafi is admitted to post arrest bail subject to furnishing his solvent surety in the sum of Rs.50,000/-and P.R. Bond in the like amount to the satisfaction of the trial Court, whereas, ad-interim pre-arrest bail granted to the applicant Muhammad Naseem, is hereby confirmed on the same terms and conditions. Besides, District & Sessions Judge, Karachi Central is hereby directed to depute any Magistrate having jurisdiction, who shall call the parties, hear them under the Domestic Violence (Prevention and Protection) Act, 2013 and shall proceed in accordance with law. Reference can be made to PLD 2019 Sindh 363.

JUDGE