

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
**Crl. Bail Application No. 1878 of 2020**

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Date                                      Order with signature of Judge  
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For hearing of bail application.  
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**26<sup>th</sup> February 2021**

Mr. Muhammad Aslam Bhutta, advocate for applicant/accused  
alongwith Mr. Ali Akbar Kamboh and Ms. Saima Maroof  
advocate.

Mr. Hussain Bux Baloch, Addl. P.G. Sindh alongwith ASI Ali  
Gohar Meerani, P.S. Gadap City.  
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At the outset, learned counsel for the applicant/accused contends that section 322 PPC has been misapplied by the police, whereas Section 320 PPC is bailable. Further, it is contended that mother of deceased appeared before this court as well as trial Court and extended her no objection for grant of bail. Though trial court declined bail application on the plea that other legal heirs i.e. maternal and paternal uncles have not filed affidavit(s) and on the plea of doubt with regard genuineness of compromise. Needless to mention that parameters with regard to grant of bail on the affidavits filed by the legal heirs and disposal of case are completely different. Here in the present case, merits were not considered by the trial court. Applicant/accused is behind the bar since 08.10.2020, yet commencement of his trial let alone its conclusion is not in sight, would also tilt the scales of justice in favour of bail rather than jail. Accordingly, applicant/accused is admitted to post arrest bail subject to his furnishing solvent surety in the sum of Rs.100,000/- and P.R. bond in the like amount to the satisfaction of the trial Court.

The bail application stands disposed of in the above terms.

J U D G E