## ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI Crl. Bail Application Nos. 330, 474 & 475 of 2021

Date	Order with signature of Judge

For hearing of bail applications.

## 10th June 2021

Mr. Khaleeq Ahmed, advocate for applicants/accused in Crl. Bail Application No. 330 of 2021.

Mr. Farhan Zia Abrar, advocate for applicant/accused in Crl. Bail Applications No. 474 & 475 of 2021.

Mr. Faheem Hussain Panhwar, DPG.

Through this common order, I indent to dispose of above captioned post arrest bail applications as they arise out of same incident bearing Crime No. 125 of 2021 for offences under sections 392/397/34, P.P.C, registered at Police Station Preedy, Karachi.

2. Precisely the relevant facts of the case are that complainant Muhammad Asad lodged FIR, wherein it was alleged that he works as goldsmith and was available at his Karkhana situated in Room No.616, 6th floor, Hussain Centre, Zaib-un-Nisa Street, Saddar, Karachi along with his employees, when at about 1430 hours four persons entered into the room and looted golden / artificial ornaments as well as snatched mobile phones of the complainant and his employees by showing weapons and tried to escape, but out of them, three accused persons were apprehended by the police at the ground floor of the building with the help of public whereas forth one was apprehended at Paradise Traffic Signal by PCs Amir Baksh and Mukhtar Ahmed who was trying to snatch motorcycle from one Kamran Ali Chishti. From all the accused persons police recovered looted ornaments as well as mobile phones, unlicensed loaded weapons, CNICs and some cash amount. All the accused were brought at PS and such FIRs were lodged against them.

3. Learned counsel appearing on behalf of the applicants/accused contend that the cases against them are false and have been registered due to enmity; that nothing was recovered from applicants/accused;

that the applicants/ accused are not previously convicted in such like cases; that the learned trial Court while dismissing the bail applications of the applicants has not considered all these aspects of the case, therefore, according to him in view of the grounds as agitated the applicants are entitled for grant of bail.

4. As against this learned DPG has opposed these bail applications and contended that accused were caught hold red handed in presence of several independent persons of the vicinity and unlicensed weapons and robbed ornaments were also recovered from their possession; that no enmity has been alleged by the applicants against the complainant or the police to falsely implicate them in such heinous offence.

5. Heard and perused the record.

6. Admittedly alleged incident took place on 18.01.2021 at 1430 hours whereas the FIR has been lodged by the Complainant on the same date with promptitude. Applicants/accused are nominated in FIR and nothing has been pointed out by the learned counsel for the applicants that complainant has any enmity with applicants; that applicants were arrested red handed and from their possession robbed articles as well as unlicensed weapons were recovered in presence of mashirs, who have no inimical terms with them; that prosecution witnesses have also specifically nominated the accused persons in their statements recorded under Section 161 Cr.P.C; that there is sufficient material available on record to connect the applicants in the case. With regard to the false implication of the applicants, it could only be determined after recording of evidence and at this stage only tentative assessment is to be undertaken and no deeper appreciation is required.

7. In view of the above the applicants have failed to make out a case for grant of bail in their favour, I accordingly **dismiss** these bail applications with direction to trial Court to proceed the matter and decide the same expeditiously. It is made clear that observation if any in this order is tentative in nature and shall not affect the merit of the case.

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