

**IN THE HIGH COURT OF SINDH, BENCH AT  
SUKKUR.**

**Crl. Bail Application No. S- 400/2022.**

Date of hearing	Order with signature of Judge
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1. For orders on office objection at Flag 'A'.
2. For hearing of bail application.

**ORDER.**

**28.11.2022.**

Mr. Ghulam Murtaza Samejo, Advocate for Applicant / accused.

Mr. Arz Muhammad Panhiyar, Advocate for complainant.

Syed Sardar Ali Shah, Additional Prosecutor General.

**NAIMATULLAH PHULPOTO J.**, Through this order, I intend to dispose of pre-arrest bail application filed on behalf of applicant/accused Riaz Hussain in crime No. 258/2022, for offence under section 489-F PPC registered at police Station 'A' Section Ghotki. Prior to this, applicant applied for pre-arrest bail before learned I-Additional Sessions Judge (MCTC) Ghotki, however, prayer for pre-arrest bail was dismissed vide order dated 10.08.2022, hence, he has filed instant pre-arrest bail application.

2. Learned advocate for applicant argued that there is compromise between the parties; that alleged offence does not fall within prohibitory clause of Section 497 Cr.P.C; that applicant is no more required for further investigation.

3. Additional Prosecutor General in the view of compromise between the parties did not oppose the confirmation of bail to applicant / accused in this case.

4. I am inclined to confirm the interim pre-arrest bail already granted to applicant / accused for the reasons that from the facts and circumstances of the case ingredients of Section 489-F PPC are yet to be determined at trial. Complainant Karamuddin is present before the Court and states that there is compromise between the parties. Offence under section 489-F PPC is compoundable. Alleged offence does not fall within prohibitory clause of Section 497 Cr.P.C. It is also argued by learned advocate for applicant that case was registered against applicant for the mala fide reasons.

5. For the above stated circumstances, the case for confirmation of bail is made out. Resultantly, interim pre-arrest bail already granted to applicant / accused is hereby confirmed on same terms and conditions.

6. The aforesaid bail application stands disposed of in the above terms.

**J U D G E**

**Irfan/P.A**