

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-853 of 2022

Cr. Bail Application No.S-855 of 2022

DATE

ORDER WITH SIGNATURE OF JUDGE(S)

30.09.2022.

Applicants are present on ad-interim pre-arrest bail.
Mr. Muhammad Sabir Hussain, Advocate for applicants.
Mr. Asif Ali Magsi, Advocate for complainant.
Ms. Sana Memon, Assistant P.G.

O R D E R

MUHAMMAD IQBAL KALHORO, J- There is a dispute between the parties over agricultural land and on the day of incident applicants armed with lathies and iron rods caused five injuries to complainant, opined by Medico Legal Officer as falling, among others, u/s. 337-A(ii) PPC. However, the remaining injuries are minor in nature and bailable. The maximum punishment for injury u/s. 337-A(ii) PPC is five years, does not fall within prohibitory clause of Section 497(1) CrPC. The FIR is delayed for almost seven days and more so there is history of cases registered by the parties against each other. Citing these grounds, learned Counsel has prayed for bail, opposed by learned Counsel for the complainant and learned Assistant P.G. However, in view of history of criminal cases registered by the parties against each other, the mala fide on the part of complainant cannot be ruled out. The medical certificate has been challenged by the accused party before Medical Board to boot. In the circumstances, these applications are allowed and ad-interim pre-arrest bail already granted to the applicants is hereby confirmed on same terms and conditions.

2. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

JUDGE

Shahid