

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Crl. Bail Application No. 421 of 2023

DATE

ORDER WITH SIGNATURE OF JUDGES

For hearing of bail application.

24-03-2023

Mr. Tariq Mehmood, Advocate for applicant.

Mr. Talib Ali Memon, A.P.G.

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Omar Sial, J: Imran Shabbir has sought post arrest bail in crime number 115 of 2022 registered under sections 392, 397 and 34 P.P.C. at the Gabol Town police station in Karachi. Earlier, his application seeking bail was dismissed on 14.02.2023 by the learned 5th Additional Sessions Judge, Karachi Central.

2. A background to the case is that the aforementioned F.I.R. was registered on 29.06.2022 on the complaint of one Mohammad Shah Nawaz, who reported an offence that had occurred a couple of hours ago. He recorded that he along with his driver Ashiq Hussain were busy in their duty of supplying commodities to various stores in their Suzuki pick-up when they were intercepted by 2 armed boys on a motorcycle. By threatening the 2 men with weapons, they snatched their valuables and escaped with the key of the Suzuki. A nearby police party was alerted because of the commotion. A chase ensued and the complainant together with the police succeeded in apprehending one boy whereas the other managed to escape. Partial recovery of the earlier stolen goods was made from the apprehended boy who was identified as Imran Shabbir (the applicant).

3. I have heard the learned counsel for the applicant who has simply argued that the complainant is lying and that no such incident ever occurred. Primarily, this was the extent of his argument. He could however not give a reason as to why 2 employees of a private business who were robbed while conducting their usual work would falsely implicate the applicant who they had not even known or seen ever before. The

complainant of the case was present during the hearing and explained that the applicant was caught a little distance away from the scene of the crime soon after the incident and that 80,000 rupees, which the complainant had hidden in a can of cooking oil, recovered from him. Ashiq the driver of the vehicle at that time has also recorded his section 161 Cr.P.C. statement confirming the incident. Keeping the immense spike in road robberies in the city in the recent past and the fear that the same is creating in society at large, I am not inclined to show any concession towards the applicants. If the allegation against them is true, then a release on bail would probably lead to a repetition of the crime as well as give them the ability to threaten witnesses. On balance, the society at large will be safer if the applicant remains in jail until the learned trial court has taken a decision in the case.

4. Above are the reasons for the short order dated 21.03.2023 in terms of which the bail application was dismissed.

JUDGE