

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

Crl. Bail Application No. 836 of 2023

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**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

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For hearing of bail application.

**19-04-2023**

Mr. Muhammad Imran Shamsi, Advocate for applicant.

Mr. Talib Ali Memon, APG.

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**Omar Sial, J:** Mohammad Hussain has sought post arrest bail in crime number 633 of 2022 registered under sections 324, 337-A(i), 337-L(ii) P.P.C. at the Al-Falah police station in Karachi. Earlier, his application seeking bail was dismissed on 10.04.2023 by the learned 6<sup>th</sup> Additional Sessions Judge, Karachi East.

2. A background to the case is that the aforementioned F.I.R. was registered on 03.12.2022 on the complaint of Sobia Kiran who reported an incident that had occurred earlier that day. Kiran recorded that she married the applicant 15 years ago and has 6 daughters from him. As the applicant was addicted to drugs he lived on the ground floor of the house whereas she along with her daughters lived on the 1<sup>st</sup> Floor. It was alleged by the complainant that the applicant had come up to her living position and attacked her and the daughters with a plier he had. The complainant received injuries after which on the commotion she created, the applicant went away.

3. I have heard the learned counsel for the applicant and the learned APG. None effected an appearance on behalf of the complainant.

4. I have gone through the medical report with the assistance of the learned APG and it appears that the injuries received by the complainant were of a minor nature. It seems on a tentative assessment that the drug addiction of the applicant may have catalysed this action against him. It does not by any manner mean that the allegation of domestic violence

raised by the complainant is not serious, but at this preliminary stage I cannot conclusively rule whether this was a case under section 324 P.P.C. Of course, the learned trial court after it has had the advantage of reviewing evidence will be in the best position to determine whether the alleged attack would fall within the ambit of section 324 P.P.C. As far as an offence under section 324 P.P.C. is concerned the case of the applicant is one of further inquiry. An offence under section 337-A(i) P.P.C. is a bailable offence as indeed is an offence under section 337-L(ii) P.P.C.

5. The bail application is allowed subject to the applicant furnishing a solvent surety in the sum of Rs. 100,000 and a P.R. Bond in the like amount to the satisfaction of the learned trial court.

**JUDGE**