

**HIGH COURT OF SINDH, CIRCUIT COURT  
AT HYDERABAD**

**Cr. Bail Application No.S-755 of 2023  
[Ghulam Shabir versus The State]**

Applicant : Through Mr. Altaf Sachal Awan advocate  
Complainant: Through Ms. Razia Ali Zaman Khan advocate  
State : Through Ms. Sana Memon Assistant P.G Sindh  
Date of hearing: 13.11.2023  
Date of decision: 13.11.2023

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**ORDER**

**MUHAMMAD KARIM KHAN AGHA J.-** Applicant was booked in FIR No.138 of 2022 registered at P.S Jamshoro under Sections 302, 147, 148, 149 and 506(2) PPC and the case is now proceeding before learned Additional Sessions Judge-I Kotri, who vide Order dated 17.07.2023 dismissed the pre-arrest bail of the applicant, hence he has approached this Court for pre-arrest bail.

2. Brief facts of the case are that Ghulam Shabir and others had told Mst. Sadori to stop making complaints about them on social media. On 06.07.2022 Ghulam Shabir and others were armed with pistols and Ghulam Shabir and Jafar made straight firing at Mst. Sadori with intention to commit her murder, which led to her death.

3. I have heard the learned counsel for the applicant, learned A.P.G as well as learned counsel for the complainant and have also considered the record.

4. It appears that the delay in lodging the FIR has been explained, as after this incident police was informed promptly and after funeral ceremonies complainant appeared at P.S and lodged the FIR. The applicant has been given a specific role of firing at Mst. Sadori, which led to her death and the same is supported by the medical evidence. The complainant's version of event has been supported by Section 161 Cr.P.C statements of Mst. Shahida, Rafique and Najmudin. It is also noted that it was a daylight incident, as such there would be no question of mistaken identity as the complainant party knew the accused. It has been contended that complainant raised no objection for grant of bail and wanted to enter into a compromise agreement. This, however, has been refuted by the

learned counsel for the complainant, who has stated that no such undertaking was given voluntarily and it was under coercion and pressure, which clearly indicates that the applicant is prepared to interfere with the prosecution witnesses. No proof of malafide has come on record and this is non-bailable offence of murder.

5. In view of the above discussion, the pre-arrest bail granted to the applicant, vide Order dated 20.07.2023, is hereby recalled and the captioned bail application stands dismissed accordingly.

6. Needless to mention here that observations made hereinabove are tentative in nature and the same will not prejudice the case of either party at trial.

JUDGE

Sajjad Ali Jessar