

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Cr. Misc. Application No. 936 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGES
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Fresh Case.

1. For orders on MA No.14344/2023
2. For orders on MA No.14345/2023
3. For hearing of main case

27-11-2023

Rana Muhammad Arshad, Advocate for applicant.

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1. Granted.
2. Granted subject to all just exceptions.
3. Humaira Naz is nominated as one of the accused in crime number 440 of 2023, registered under sections 302 and 34 P.P.C. at the Sohrab Goth police station. She was admitted to bail on 30.08.2023 by the learned 1st Additional Sessions Judge, Malir, against a surety of Rs. 500,000. Humaira has failed to arrange the surety even after nearly 3 months and therefore, has filed an application seeking a reduction of the amount.

After hearing the learned counsel, it seems that surety has not been submitted solely because of financial distress. The applicant's relatives have run from pillar to post in the hope of collecting the requisite surety but have failed. As a consequence, the applicant has been unable to enjoy the concession of bail given to her on merits. The quantum of surety should not be used as a tool for punishing the applicant who has otherwise on merits obtained bail. While a prayer has been made to reduce the surety to Rs. 50,000, in my view ends of justice will be met if the surety amount, on humanitarian grounds, is reduced to Rs. 100,000.

Application stands disposed of in the above terms.

JUDGE