

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.A. No. 1396 of 2023

Date	Order with signature of Judge
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For hearing of bail application.

18.07.2023

Mr. Saleem Nawaz, Advocate for the applicant/accused.

Mr. Faheem Panhwar, DPG.

Complainant is also present.

1. Applicant Muhammad Ayaz son of Abdul Ghafoor is seeking bail after arrest in FIR No. 729/2021 lodged under Section 324 PPC at P.S. Bilal Colony, Karachi.
2. The allegation against the applicant/accused is that he armed with sharp edged weapon attempted to commit murder of daughters of the complainant.
3. Learned counsel for the applicant/accused premised his case on the argument that mere heinousness of offence is not a ground for cancellation of bail. He further contended that there is a contradictions between the statement of the complainant as well as victim which creates doubt in the prosecution case. The applicant/accused is behind the bar and incarceration of accused would not serve any purpose, therefore, applicant/accused be enlarged on bail.
4. On the other hand learned DPG argued that applicant/ accused is nominated in the FIR with specific role and the alleged offence is not bailable, therefore, bail plea was rightly dismissed by the learned trial Court.

5. I have heard the submissions of learned counsel for the applicant as well as learned DPG and scanned the available material. It is an admitted position that applicant/accused not only named in the FIR but has been comprehensively described with specific role of assaulting the victim with sharp edged weapon. The victim also supported the version of the FIR and specifically named applicant/accused. The offence with which applicant/accused is charged is heinous in nature as well as is not bailable. In view of the circumstances, this bail application is declined, however, the learned trial Court is directed to conclude the trial within a period of three months.

JUDGE

Aadil Arab