

**Order Sheet**  
**IN THE HIGH COURT OF SINDH,**  
**BENCH AT SUKKUR**

Crl. Bail Application No.S- 549 of 2023

Date of hearing	Order with signature of Judge.
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- 1.For orders on office objections
- 2.For hearing of Bail Application.

Mr. Abdul Sattar Mahessar, Advocate along with applicants.  
Mr. Shafi Muhammad Mahar, Deputy P.G for the State a/w complainant.

Date of Hearing & Order: **06-10-2023**

**ORDER**

**MUHAMMAD IQBAL KALHORO, J.-** Applicants are on inimical terms with the complainant party over money matters and on 02.06.2023, they are alleged to have gone to the complainant party, duly armed with Lathies and pistols, when they were sitting in the Otaq and caused Lathi blows to the complainant's brother Sultan Khan and looted their mobile phones and some amount kept in their pocket.

2. FIR was registered on 17.06.2023 after a delay of 15-days. In the two investigations, the case was disposed of under B-class, but the Magistrate concerned did not agree with the report and took cognizance of the offence against the applicants. There is a counter FIR registered by the applicants party against the complainant of same incident on the same date alleging PW-Sultan Khan committing house trespass and theft from their house.

3. In any case, learned DPG has not opposed the confirmation of bail. Complainant present in person has submitted that applicants

party had quarreled with his brother Sultan Khan, who per learned DPG, has sustained only minor injuries bailable in nature. Besides, there is *prima facie* unexplained delay of 15 days in registration of FIR requiring further enquiry into the case and the element of false implication of the applicants by the complainant cannot be ruled out.

4. Accordingly, this bail application is **allowed** and the interim pre-arrest bail earlier granted to the applicants by this Court is confirmed on the same terms and conditions.

5. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

**JUDGE**

Ahmad