

ORDER SHEET
THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.1064 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA No.6500/2024.
2. For hearing of bail application.

15.07.2024

Mr. Azmatullah, advocate for the applicant.
Mr. Khadim Hussain, APG along with Liaquat Ali complainant
and SIP Feroz Khan, PS Sir Syed.

The applicant Sameeuallah has filed this bail application under Section 497 Cr. P.C in Crime No., 76 of 2020 under Section 302/397/34 PPC of PS Sir Syed. His earlier bail application has been dismissed by the trial Court vide order dated 07.05.2024 on the premise no fresh ground was available to the applicant to maintain the fresh bail application. The applicant has raised his voice of concern, the applicant has been behind bars since his arrest and in the intervening period PW one Muhammad Hammad has been examined by the trial Court and his further examination-in-chief has been reserved. However, he seeks direction to the trial Court to examine the witnesses within one month, and in case the trial Court does not comply with the direction passed by this Court vide order dated 05.09.2023 in Cr. Bail Application No. 721 of 2023, the applicant shall be set at liberty to move fresh bail application on all grounds including statutory grounds. Learned Additional PG submits that the eye witness has identified the accused present in the Court, and therefore judicial propriety demand that direction be issued to the trial Court to examine the remaining witnesses within one month, he has assured that the witnesses shall be produced before the Court positively for recording their evidence.

I have heard the learned counsel for the parties and have perused the record with their assistance.

This Court vide order dated 05.09.2023 directed the trial Court to examine the eye witness Hammad within one month and as per record his examination in chief has been recorded and his further examination in chief needs to be recorded. Prima facie partial compliance has been made, therefore, this bail application is disposed of by directing the learned trial Court to examine the remaining witnesses within one month. In case of failure, MIT shall refer the matter to the competent authority for passing appropriate orders on the administrative side.

JUDGE