

ORDER SHEET  
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR  
Cr. Bail Application No.S-331 of 2024

Applicants : Ali Murad and 6 others through  
Mr. Shabbir Ali Bozdar, Advocate

Complainant : Muhammad Ilyas in person

Respondent : The State, through  
Mr. Aftab Ahmed Shar, Additional  
Prosecutor General

Date of hearing : 01-07-2024

Date of Decision : 01-07-2024

**O R D E R**

**Arbab Ali Hakro, J:** Through this Criminal Bail Application, applicants Ali Murad, Dil Murad, Abdul Fateh, Farman Ali, Ali Hassan, Mourzado and Abdul Bari, all by caste Khosa, seek pre-arrest bail in Crime No.155/2024, registered at Police Station Daharki, under sections 452, 337-F(v), 506/2, 147, 148, 149, 337-H(ii), 337-F(i), 337-L(ii) and 504 PPC. Their earlier pre-arrest bail plea was declined by the Additional Sessions Judge, Daharki, vide order dated 15.05.2024. Hence, they approached this Court for pre-arrest bail.

2. As per FIR, registered on 09.05.2024, the allegation against the applicants is that on 04.05.2024 at about 10.00 a.m, they, along with their two unknown companions duly armed with Kalashnikovs, guns, pistols and lathi, entered into the house of complainant Muhammad Ilyas, abused him and applicant Ali Murad caused lathi injuries to him while the others made aerial firing.

3. Learned counsel for the applicants, at the very outset, contended that the parties have patched up the matter and settled their dispute outside the Court on the intervention of nekmards of the locality.

He has also contended that all the sections applied in this case are bailable except sections 452, 337-F(v), and 506/2 PPC, which also do not fall within the prohibitory clause of section 497 Cr.P.C. Lastly, he prayed for confirmation of bail.

4. Complainant Muhammad Ilyas appeared and submitted that he has no objection if the interim bail granted to the applicants is confirmed as the matter has been amicably settled between the parties on the intervention of nekmards of the locality. He also filed an affidavit to such effect. Learned APG, in view of the compromise between the parties and that the offence does not fall within the prohibitory clause of section 497 Cr.P.C, also conceded for confirmation of bail to the applicants.

5. Heard arguments and have perused the material available on record.

6. According to the F.I.R, the incident is shown to have occurred on 04.05.2024, whereas the report thereof was lodged on 09.05.2024, i.e. with a delay of 05 days. All the Sections are bailable except Sections 452, 506/2 and 337-F(v) P.P.C. However, the same is punishable for up to 07 years and does not fall within the prohibitory clause of section 497 Cr.P.C. Further, the applicants and complainant have settled their dispute outside the Court on the intervention of nekmards of the locality. The complainant has extended no objection to the confirmation of bail, and an affidavit has been filed to this effect. Learned APG has also conceded to the confirmation of bail. Therefore, this bail application is allowed, and the interim bail granted to applicants on 22.05.2024 is hereby **confirmed** on the same terms and conditions.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant on merits

**JUDGE**

Suleman Khan/PA