

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Bail App. No. S – 860 of 2023

Cr. Bail App. No. S – 899 of 2023

Cr. Bail App. No. S – 141 of 2024

Date of hearing	Order with signature of Judge
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Hearing of bail applications

1. For orders on office objections at Flag-A
2. For hearing of bail applications

15.03.2024

Mr. Anwar Ali Lohar, Advocate for applicants in Cr. Bail Apps. No. S-860 of 2023 and S-141 of 2024.

Mr. Ali Gul Abbasi, Advocate for applicant in Cr. Bail App. No. S-860 of 2023.

Mr. Mushtaque Ahmed W. Abbasi, Advocate for applicant in Cr. Bail App. No. S-899 of 2023.

Mr. Pardeep Kumar Chouhan, Advocate for complainant in Cr. Bail App. No. S-899 of 2023.

Mr. Aftab Ahmed Shar, Additional Prosecutor General along with ASI/IO Zulfiqar Ali Chachar of Police Station 'A' Section, Ghotki.

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Cr. Bail App. No. S – 860 of 2023

IO is present and has filed a statement along with certain documents. Learned Counsel for applicant do not press this application and seek permission to file a fresh one before the trial Court by including Section 302 PPC, which has been added afterwards in the Final Challan. Accordingly, this application is **dismissed as not pressed**. However, as and when such application is filed before the trial Court, the same shall be decided expeditiously in accordance with law.

Cr. Bail App. No. S – 899 of 2023

Syed Hajjan Shah, Advocate has filed his power and that of Mr. Shabbir Ali Bozdar, Advocate on behalf of applicant. Learned Counsel, at the very outset, submits that the applicant had filed an application for pre-arrest bail before the trial Court under Section, among others, 324 PPC, which was rejected and then he filed this application under the same provision of law. However, meanwhile, the Challan U/S 302 PPC has been submitted in the trial Court against the applicant; therefore, this application may be converted into an application for protective bail and applicant may be allowed to file a fresh application for bail before the trial Court by including Section 302 PPC for a decision afresh. Learned Additional Prosecutor General and Counsel for the complainant have extended no objection.

Accordingly, pre-arrest bail is converted into an application for protective bail, and bail is granted to applicant for a period of **seven (07) days** w.e.f. 15.03.2024 to 21.03.2024 (both days inclusive) on the same surety already furnished on behalf of applicant with direction to execute a fresh PR bond in the like amount to the satisfaction of the Additional Registrar of this Court, to enable him to appear before the trial Court with an application U/S 498 CrPC in the aforesaid period. This order shall cease to have its effect after expiry of seven (07) days or whenever applicant surrenders before the trial Court, which one occurs earlier. It is made clear that in case he fails to surrender before the trial Court within the stipulated period, his bail bond shall stand automatically forfeited.

Cr. Bail App. No. S – 141 of 2024

M/s Pardeep Kumar Chouhan and Rustam Ali, Advocates have filed power on behalf of complainant. At the joint request of parties, adjourned to **5th April 2024**.

Office to place a signed copy of this order in the captioned connected matters.

J U D G E

Abdul Basit