

# IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S-119 of 2024  
(*Arbab Ali Leghari v. The State*)

Mr. Wajid Ali Shaikh, Advocate for applicant.

Mr. Shafi Muhammad Mahar, Deputy P.G for the State along with complainant.

Date of Hearing & Order: **25-03-2024**

## ORDER

**MUHAMMAD IQBAL KALHORO, J.:** Complainant Mst. Iqra has alleged that applicant armed with a pistol along with his brother, co-accused, Muhammad Siddique with an iron pipe barged into her house at about 05:00 p.m on 09.03.2023 and started abusing them. Thereafter, applicant in order to commit rape with her daughter, namely, Alia started dragging her but she raised cries and in the scuffle, her shirt was torn from in front. Thereafter, accused caused them blows on different parts of body. They raised cries and were rescued by the neighbors. As per medical certificates, injuries are minor andailable in nature. FIR was registered on 30.04.2023 after more than one and half month only after an application was filed before the Justice of Peace and order was passed thereon.

2. Learned counsel for applicant in defence has argued that parties are already at odds with each other and have been filing applications against each other; applicant is in jail for four months and Challan has been submitted, hence, he is no more required for further investigation.

3. Learned Deputy P.G for the State and complainant, present in Court, have opposed bail to the applicant.

4. I have heard learned counsel for parties and perused material available on record. There is *prima facie* unexplained delay of one and half month in registration of FIR, the effect of which needs to be determined at the trial by the trial Court. Parties are in dispute and have been filing applications against each other in different forums. Furthermore, applicant is in custody and is no more required for further investigation. Medical evidence shows that injuries sustained by complainant party are minor in nature. Accordingly, this Crl. Bail Application is **allowed on above grounds** and the applicant is admitted to post-arrest bail subject to his furnishing a solvent surety in the sum of **Rs.100,000/- (One Lac)** with P.R bond in the like amount to the satisfaction of the trial Court. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

**JUDGE**

Ahmad