

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Criminal Misc. Application No.433 of 2024
(Yasin Mehdi Siddique v. Saqib Javed and another)

DATE: ORDER WITH SIGNATURE OF THE JUDGE

1. For order on M.A. No.5265/2024
2. For order on M.A. No.5266/2024
3. For hearing of main case

29.04.2024

Mr. Khurram Lakhani, advocate for the applicant

1. Urgency granted.
2. Deferred.
3. It is alleged that the private respondent with the rest of the culprits in furtherance of their common intention murdered Mohsin, for that the present case was registered. On investigation, the private respondent was apprehended by the police and was released on bail by learned II-Additional Sessions Judge Karachi Central, same is sought to be cancelled by the applicant by this Court by way of instant Crl. Misc. Application under Section 497(5) Cr.PC.

It is contended by learned counsel for the applicant that the private respondent is fully implicated in the commission of the incident and such aspect of the case has been lost sight by the learned trial Court while releasing him on bail, therefore, his bail is liable to be cancelled.

Heard arguments and perused the record.

The FIR of the incident does not contain the name of the applicant. None actually has seen the applicant committing the death of the deceased; his involvement on the basis of last-seen evidence collected through CCTV recording obviously is calling for its determination at trial. In these premises, the learned trial Court was right to release the private respondent on bail by concluding that his case is calling for further inquiry.

Consequent upon the above discussion, the instant Criminal Misc. Application is dismissed in *limine*.

JUDGE

Nadir*