

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl. No.2147 of 2024**

21.10.2024

Mr. Umar Farooq, Advocate for applicant.
Mr. Muhammad Naeem advocate for complainant.
Ms. Rahat Ahsan, Addl. P.G.

ORDER

MUHAMMAD IQBAL KALHORO J: Applicant Kamran Shamim is seeking post arrest bail in Crime No.124/2023 U/s 302,201 PPC of P.S. Sharifabad, Karachi.

2. It is alleged in the FIR that a daughter of complainant namely Ayesha aged about 25 years married with the applicant, committed suicide in the night on 27.04.2024 due to bad behavior and torture of the applicant, regarding which already complaints were made. In the postmortem cause of death has been described as Asphyxia / strangulation. There is no eyewitness as for as death is concerned.

3. Counsel for complainant and learned APG have argued that the distance between fan and floor is such that a person cannot commit suicide and this is a case of murder. More so, during postmortem the neck bone was found intact, which means that she was strangled. Such report was filed by MLO alongwith postmortem report, on the basis of which the case has been challaned u/s 302 PPC and charge has been framed under the same section. Before commission of offence, it is argued that applicant had made viral a nude video clip of the deceased.

4. On the other hand, learned counsel for defence has argued that this is a case of further inquiry as in the FIR, the deceased is said to have committed suicide.

5. However, in the subsequent two investigations, this case has been found to be of murder and not of the suicide. That report has been confirmed by the MLO stating that deceased was murdered and she did not commit suicide. She was found hanging in the bedroom of the applicant but he did not come forward to make any report of death/murder of his wife, which shows prima facie his involvement in the case. No case for bail is made out. Accordingly, this bail application is dismissed. The trial court, however, is directed to expedite the trial and examine material witnesses within four months, after which the applicant would be at liberty to repeat his bail application which shall be decided on its own merits.

The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

The bail application is disposed of.

JUDGE