

IN THE HIGH COURT OF SINDH, KARACHI

Crl.Bail.Appln.No. 130 of 2025

Before

Mr.Justice Ali Haider Ada

Muhammad Ashraf & Sulleman Khan, applicants : Mirza Wasee, Hussain, Advocate
The State, respondent, through : Mr. Iqbal Ahmed Meo, APG
Date of hearing : 11.02.2025
Date of Order : 11.02.2025

ORDER

ALI HAIDER ADA---J., Through this Criminal Bail Application applicant seek confirmation of ad interim pre arrest bail in FIR No. 628 of 2024 under Section 496-A PPC R/W S. 3 of Trafficking in Persons Act, 2018, registered at Police Station Gizri Karachi which was registered on 28.12.2024 by the complainant namely Mst.Lateefan Bibi wife of Muhammad Ajmal Khan, while the date of incident is 06.10.2024. The applicant was admitted to ad interim pre-arrest bail by this Court vide order dated 16.01.2025, hence the same ripe up for confirmation or otherwise.

2. Briefly, the facts as is envisaged in the FIR are that on the eventful day daughter of complainant namely Kausar Bibi was servant of applicant/accused and on 06.10.2024 she was maltreated and even when complainant attracted, in which replied that she left the house with complainant while the same is not true, as such complaint was lodged before the Police Station.

3. Learned counsel for the applicant submits that the victim examined by the learned Magistrate under Section 164 CrPC, in which she totally denied the contents of the FIR and stated before the Magistrate that she left the house at his own will and wish as her mother registered false FIR

with false plea with ulterior motives. Learned counsel further contended that there is a delay of almost two and half months without any plausible explanation, prayed for confirmation of ad interim pre-arrest.

4. Learned APG opposed the bail application and supported the impugned the order of learned trial court that offence is heinous in nature.

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

6. Record reflects that the 164 Cr.P.C statement is totally contradictory with the contents of FIR and alleged victim has categorically stated that her mother registered a false FIR, further it reflects that there is a unexplained delay in lodgment of the FIR almost two and half months without any plausibly explanation, thus once the matter requires further evidence then the applicant is entitled for grant of concession of bail.

7. In view of above circumstances, the ad interim pre arrest bail earlier granted to the applicant by this Court vide order dated 16.01.2025 is hereby confirmed on the same term and conditions.

Note:- This order is tentative in nature and will not prejudice merits of the case at the trial.

The criminal bail application is disposed of.

J U D G E

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