

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.**

**Cr. Bail Appl No301 of 2024
Cr. Bail Appl. No.1220 of 2024**

27.06.2024

Mr. Atique Ahmed Advocate has filed power on behalf of applicants a/w applicant Shahzad Ahmed.
Mr. Muhammad Akber Khan, advocate for complainant.
Mr. Mumtaz Ali Shah, Addl. P.G.

ORDER

MUHAMMAD IQBAL KALHORO J: Applicants Shahzad Ahmed and Mst. Shazia Shahzad are seeking pre arrest bail in Crime No.370/2023 U/s 302,34 PPC of P.S. Super Market Karachi. They were admitted to ad-interim pre arrest bail vide order dated 01.02.2024 and and 03.06.2024 respectively and today matter is fixed for confirmation of interim pre arrest bail or otherwise.

2. Complainant Mst. Shaista Shahid is mother of deceased Aresha, a nurse by profession, applicant Shahzad Ahmed, advocate by profession is her Ex-husband and father of deceased, whereas applicant Mst. Shazia Shahzad is her step mother. As per FIR on 09.10.2023, the day of incident, Mst. Aresha went to meet her father and did not return home. Complainant after completing her duty returned home and when her daughter did not return, she contacted her ex-husband and inquired about Mst. Aresha, he told her that she had met him and after taking Rs.5000/- for repairing of her mobile phone, she had left. On 10.10.2023 complainant was informed that her daughter had died and her dead body was found at Gujjar Nala Choona Depo, C Area Liaqatabad.

3. Investigation followed and applicant and his wife, who is not present today and her counsel has sought condonation of her absence, which is granted, on the ground that she is not well, were involved in the case. There are some vague CDR reports tracing location of the applicants at the relevant time. But nothing specific pointing out to the role of the applicants has been found. Learned Addl. P.G. has submitted that blood stains on scarf (Dopata) of the deceased were found, which on DNA test matched with the applicant Mst. Shazia Shahzad. Memo of place of incident and recovery of dead body however, shows that although the scarf (Dopata) was recovered but nowhere it is mentioned that it was stained with blood. Applicant Shahzad Ahmed is real father of deceased and complainant is her real mother. Admittedly, there were strained relations between them. I.O. has failed to collect prima facie any

evidence reasonably connecting the applicants with commission of offence. The case has been challaned and looking at the material, I am of the view that applicants have been able to make out a case for bail.

4. Accordingly, in view of above, these bail applications are allowed and the ad-interim pre arrest bail granted to the applicants is confirmed on the same terms and conditions.

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

The bail applications are disposed of in the above terms.

J U D G E

A.K