

ORDER SHEET  
**IN THE HIGH COURT OF SINDH  
CIRCUIT COURT HYDERABAD**

Criminal Bail Application No.S-1007 of 2022  
Criminal Bail Application No.S-1009 of 2022

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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17-10-2022

Mr. Sanaullah Khoso advocate for applicant.

Ms. Rameshan Oad, Assistant Prosecutor General Sindh.

Complainant present in person.

**MUHAMMAD IQBAL KALHORO, J:-** Complainant has alleged that on account of bad blood between him and accused party, on 01.08.2022 at 1100 hours, applicant at the instigation co-accused Rahim Dino fired from his repeater, hitting his sister Parsan on her left hand, causing her firearm injuries, leading to registration of instant FIR. Applicant was arrested on 04.08.2022 and from him repeater was allegedly recovered.

**2.** Learned defense counsel has submitted that there is conflict between the ocular and medical evidence as the provisional medical evidence shows that injury to the lady was caused by blunt and hard substance and not by firearm and it falls u/s 337-F (iii) PPC, punishable for only three years, as such, applicability of section 324 PPC is yet to be determined. His arguments have been opposed by learned A.P.G. Sindh citing the direct role assigned to the applicant and recovery of crime weapon from him.

**3.** I have considered submissions of the parties. In the provisional medical certificate, instead of firearm weapon as alleged, it is opined, that the lady was caused injury by hard and blunt substance. The injury received by lady is on her non-vital part and it is punishable only for three years. There is no allegation against the applicant of repeating the fire, therefore, applicability of section 324 PPC is yet to be determined. The case has been challaned and applicant is no more required for further investigation. The recovery mashirs of repeater are allegedly close relatives of the complainant

and not independent. In these circumstances, the case against the applicant requires further inquiry. Resultantly, these applications are allowed and the applicant is granted bail in both the cases against executing surety of Rs.1,00,000.00 [Rupees one hundred thousand only] in each case, to the satisfaction of trial Court.

**4.** The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

JUDGE

**\*Abdullah Channa/PS\***