

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl No. 2029 of 2024
(Shakeel vs. The State)

23.09.2024

Mr. Iftikhar Ali Hashmi, Advocate for applicant. No.05/2022
Mr. Khadim Hussain, Addl: PG

ORDER

MUHAMMAD IQBAL KALHORO J: Complainant in FIR registered 03.06.2024 has alleged that on account some dispute over children, applicants armed with pistols entered his house and fired at his son Ali Nawaz on 02.06.2021 causing him multiple fire arms injuries on different parts of his body, who was taken to hospital. While he was still in hospital, complainant appeared in the Police Station and registered the FIR.

2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicant Shakeel is seriously ill, the evidence of witnesses has been recorded, which is contradictory to each other.

3. On the other hand, learned Addl: PG Sindh has opposed the bail.

4. I have heard the parties and perused the material. Applicants have been assigned specific role of causing multiple fire arm injuries while armed with pistol to the victim, Ali Nawaz, who happens to be a son of complainant, Noor Muhammad. Such medical record supported by statements u/s 161 Cr.PC of the witnesses is available in the police papers. Insofar as the alleged contradictions in the evidence of witnesses is concerned, it may be stated that at bail stage only tentative assessment is made out and *prima facie*, the witnesses have supported the version embedded in FIR. There is no record showing that applicant is seriously ill and entitled to bail on this ground.

5. No case for concession post-arrest bail is made out. Consequently, this bail application is dismissed. However, the trial Court is directed to expedite the trial and examine remaining witnesses within a period of three months. After the evidence, trial Court to conclude the matter and pronounce the judgment. In any case, after the stipulated period the applicant would be at liberty to move a fresh bail application for fresh consideration before the trial Court, which if filed, shall however be decided on its own merits.

6. Needless to mention that the observations made herein above 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

Rafiq/P.A.

