

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.Appl. No.2327 of 2024

19.12.2024

Mr. Arifullah Khan, advocate for the applicant.
Ms. Seema Zaidi, Addl.P.G.

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For hearing of bail application

ORDER

MUHAMMAD IQBAL KALHORO J: Complainant is an employee in some private company. He left home on 01.08.2023 at 0945 hours for going to job and when he reached Abdullah College Chowrangi, he was approached by two dacoits who on the show of weapons robbed him of his laptop and other belongings. He raised cries, which attracted people who caught hold of one of the dacoits who turned out to be the applicant. Meanwhile, police mobile also reached at the spot and arrested him.

2. Applicant's counsel submits that applicant is in jail for 16 months and still the case has not been concluded, only the evidence of complainant has been recorded. Hence, the applicant is entitled to bail as his bail has been rejected by the trial court on the ground that he is habitual and desperate criminal, whereas, there is no record and proof of the same. Learned counsel for the applicant has relied upon the case law reported as 2022 SCMR 1 (Shakeel Shah Vs. The State and others). His arguments have been opposed by learned Addl.P.G.

3. Applicant was arrested from the spot while committing robbery from the complainant and after his arrest the robbed articles were also recovered from him. The trial has started and the evidence of complainant has been recorded, who has also prima-facie implicated him. No case of bail is therefore, made out. Accordingly, this bail application is dismissed. However, the trial court without fail shall examine the remaining witnesses within a period of three months and conclude the trial. The report of which shall be submitted before this Court through MIT-II.

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

5. This Cr. Bail Application is disposed of.

J U D G E

Hafiz