

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. M.A.No.1045 of 2024

11.12.2024

Mr. Sikandar Hayat, Advocate for applicant.
Ms. Amna Ansari, Addl.P.G. a/w DSP Zaib-un-Nisa of P.S.Shadman.

=

For hearing of bail application

ORDER

MUHAMMAD IQBAL KALHORO J: I have heard applicant's counsel, who has challenged an order dated 25.09.2024, whereby FIR registered by applicant under section 506/B, 452, 504, 337-A(i), 34 PPC has been disposed of under C-Class.

2. Learned counsel for the applicant submits that the material on record has not been properly examined by the learned Magistrate, as there are proofs of injuries to complainant party supported by medical certificate.

3. On the other hand learned Addl.P.G. has supported the impugned order. I.O. is present submits that injuries are non-cognizable and there was insufficient evidence against the accused, hence the case was disposed of under C-Class. She further submits that this case has been investigated by three I.O.s, when first I.O. was investigating the matter, on application of applicant, the investigation was transferred to the second I.O. who disposed of the case under B-Class and thereafter the investigation was entrusted to her and she found insufficient evidence and medical certificate pertained to non-cognizable offence, hence she disposed of the case under C-Class.

4. I have heard submissions and perused material available on record. The impugned order is well reasoned and the learned Judge has taken into consideration all the relevant facts while agreeing with the I.O. and has disposed of the case under C-Class. The injuries sustained allegedly by the complainant party are minor in nature and non-cognizable. In view thereof, I do not find any illegality in the impugned order and dismiss this application. However, the applicant would be at liberty to take alternate remedy.

5. This Cr. Bail Applications is disposed of.

J U D G E

Hafiz