

**THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD**

Criminal Bail Application No.S-1045 of 2022.

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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For orders on office objection.

For hearing of main case.

21.10.2022.

Applicant is present on ad-interim pre-arrest bail.  
Mr. Muhammad Ayoob Laghari advocate for complainant.  
Ms. Rameshan Oad, Assistant Prosecutor General, Sindh.  
Complainant is present in person.

ORDER

MUHAMMAD IQBAL KALHORO, J:- It is alleged that the applicant alongwith his brothers entered the house of complainant on 17.09.2022 situated in Katchi Abadi, Unit No.10, Latifabad Hyderabad and started beating conjointly complainant party on account of dispute over a house. Applicant was armed with an iron rod with which he caused complainant injuries on his head and left foot. The injury on his head has been opined as 337-A(i) PPC, bailable, however, injury on his foot has been opined as 337-F(vi) PPC, dislocation and fracture of bone. Applicant's counsel is called absent without intimation. I have heard applicant, he submits that he is innocent; the injured is his real uncle who is trying to dispossess him from his house which he has inherited from his father; all the documents have been fabricated to implicate him in this case. On the other hand, learned counsel for complainant and learned APG have opposed bail citing his main role.

Applicant is specifically nominated to have caused two injuries to the complainant who is his real uncle. Injury on his foot by applicant has caused fracture and dislocation of his bone which is punishable for seven years and is not bailable. No malafide on the part of complainant, his real uncle, is traceable from the material in the present case. Therefore, applicant does not appear to be entitled to concession of pre-arrest bail which is meant to save an innocent person only from arrest which is otherwise in non-bailable offence requirement of law. As a result of above

discussion, this application, meriting no consideration, is accordingly dismissed and ad-interim pre-arrest bail granted to him vide order dated 06.10.2022 is hereby recalled.

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

JUDGE

Irfan Ali