

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

Criminal Bail Application No.S-812 of 2021.

DATE	ORDER WITH SIGNATURE OF JUDGE
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	For orders on office objections. For hearing of main case.
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03.12.2021.

Mr. Hussain Bux Solangi advocate for the applicant.
Ms. Sana Memon, Assistant Prosecutor General.
Applicant is present on ad-interim pre-arrest bail.
ASI Ayaz Ahmed Bughio I.O. of the case.

ORDER

MUHAMMAD IQBAL KALHORO, J:- Complainant has alleged in the FIR that on 26.06.2021 at about 2100 hours when he was returning to his house, near Pharmacy Department of Sindh University three persons, known to him, including the applicant committed robbery of two mobile phones, Rs.2800/- and some documents from him. The other accused are shown armed with pistols but applicant is stated to be without any weapon.

Learned defence counsel has pleaded for confirmation of bail on the ground that the applicant is innocent and has been falsely implicated in this case on account of dispute over plot and has not been assigned any active role in the alleged offence.

Learned APG has opposed grant of bail to the applicant. I.O. of the case is present and has submitted that this case was registered as reported by the complainant. But in the investigation, none of the accused was arrested, hence, challan was submitted against the accused under Section 512 Cr.P.C. showing them absconders. However, he has now come to know that complainant has entered into some agreement with one Hafiz Mehmood, who is not accused, and he has restored him his robbed mobile phone and given some compensation. This compromise has been affected privately and complainant has not even reported these developments to the police or the Court. I.O. has submitted such report in writing which is taken on record.

In view of facts divulged by investigating officer of the case, I am of the view that this case requires further inquiry and false implication of the applicant

cannot be ruled out. Accordingly, this bail application is allowed and ad-interim pre-arrest bail granted to the applicant vide order 16.09.2021 is hereby confirmed on the same terms and conditions.

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

JUDGE

Irfan Ali