

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

Criminal Bail Application No.S-1157 of 2022.

| DATE | ORDER WITH SIGNATURE OF JUDGE |
|-------------|--------------------------------------|
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For orders on office objection.

For hearing of main case.

28.11.2022.

Mr. Wajid Ali Khaskheli advocate for applicant.

Mr. Safdar A. Panhwar advocate for complainant.

Mr. Abdul Waheed Bijarani Assistant Prosecutor General.

Applicant is present on ad-interim pre-arrest bail.

ORDER

MUHAMMAD IQBAL KALHORO, J:- Applicant is stated to be son in law of complainant Mst. Husna who through FIR registered on 18.10.2022 has reported an incident occurred on 06.10.2022 in which applicant alongwith other co-accused assaulted her and her son namely Gamshad. Complainant has received three injuries falling u/s 337-A(i), F(i), F(vi) PPC. Injury attributed to applicant is 337-A(i) PPC, bailable and punishable for two years. Citing these grounds learned counsel for applicant has pleaded for bail opposed by learned counsel for complainant and learned APG stating that applicant has been assigned main role and section 324 PPC is applicable.

I have considered submissions of parties and perused material available on record. The injury assigned to applicant is bailable and there is delay of 12 days in registration of FIR. Applicant is son-in-law of complainant and allegation by the complainant that two co-accused tried to commit zina with her and on her cries, when her son turned up, applicant and other caused her injuries prima facie does not appeal to the prudent mind and therefore, malafide on the part of complainant cannot be ruled out. Accordingly, the bail application is allowed and ad-interim pre-arrest bail granted to him vide order dated 01.11.2022 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