

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl. No. 2479 of 2024
(Syed Khusnood Ali Zaidi vs. The State)

Date	Order with signature of Judge
------	-------------------------------

For hearing of Bail Application.

18.11.2024.

Mr. Tajjammul Hussain Lodhi, advocate for applicant
Ms. Rahat Ahsan, Addl: PG Sindh

ORDER

MUHAMMAD IQBAL KALHORO J: Complainant has alleged that applicant and his family had beat her and her family near a gate of Ayesha Complex North Karachi on some family dispute on 13.07.2024. During the course of which applicant, who is father-in-law of complainant, beat her sister Rimsha and tore off her clothes as a result of which, her chest, waist and back side of body got open to public, hence, FIR.

2. Learned defence counsel has submitted that applicant is father-in-law of complainant and there is no independent eye witness supporting prosecution case story insofar as tearing off clothes of sister of complainant is concerned, although, the incident took place at the gate of Aisha Complex and as per story of FIR more than 200 persons had gathered there. There is a delay of 26 days in registration of FIR and in CCTV footages this part of the prosecution story is not visible. The injuries sustained by the victim are bailable falling u/s 337-A(i).

3. His request for bail has been opposed by learned Addl: PG Sindh stating that applicant is nominated in FIR.

4. I have considered submissions of the parties and perused material available on record. Applicant is in jail for 03 months as he was arrested on 19.08.2024 and is no more required for further investigation. The challan has been submitted, meanwhile, hence, incarceration of the applicant in jail is not beneficial to the prosecution. Applicant is father-in-law of complainant and there appears to be a family dispute between them. The FIR was registered after delay of 26 days, hence, false implication u/s 354-A cannot be ruled out. Further, in CCTV footages this part of story that applicant had torn off clothes of a sister of complainant is not visible, hence, this allegation requires further enquiry. More so, the injuries sustained by complainant and her sister are bailable. In the circumstances, this bail application is allowed and applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.200,000/ (Rupees two lac) with P.R. bond in the like amount to be executed to the satisfaction of the trial Court.

5. Bail application stands disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

J U D G E

Rafiq/P.A