

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl. No.2122 of 2024

(Babar Bhatti vs. The State)

Cr. Bail Appl. No.2475 of 2024

(Nadeem Bhatti vs. The State)

Date	Order with signature of Judge
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For hearing of Bail Application.

04.11.2024.

Mr. Dur Muhammad Shah, Advocate a/w applicant in Cr. B.A. No.2475/2024

Applicant, Babar Bhatti present in person in Cr. B.A. No.2122/2024

Mr. Ali Haider Salim, Addl: PG Sindh a/w SIP Javed, P.S. Zaman Town, Karachi

ORDER

MUHAMMAD IQBAL KALHORO J: Complainant has alleged in FIR that on account of dispute over matrimonial affairs, applicant, Nadeem Bhatti gave a *churry* blow in his stomach and critically injured him. Whereas, Babar Bhatti, his brother, helped him in doing so.

2. Learned counsel in defence has submitted that applicant has been falsely implicated in this case. Initially his bail application was confirmed but afterwards Section 324 PPC was added and second bail application was dismissed, the injury is self-suffered.

3. Applicant, Babar is present and submits that he is innocent and has not been assigned any role.

4. Learned Addl: PG Sindh has opposed bail of Nadeem on the ground that his role is established from medical record, whereas, has given no objection to Babar Bhatti as no specific role has been attributed to him.

5. I have considered submissions of the parties and perused material available on record. The role of applicant, Nadeem is *prima facie* established from the medical record. The injuries sustained by the complainant falls u/s 337(d), which is punishable for 10 years and falls within prohibitory clause. More so, by causing a knife injury to vital part of the complainant, the applicant Nadeem Bhatti has *prima facie* committed an offence u/s 324 PPC. Hence, he is not entitled to concession of pre-arrest bail, which is only meant to protect the innocent person from the arrest and humiliation in a criminal case in which he has been falsely implicated.

6. Accordingly, his Cr. B.A. No.2475/2024 is dismissed. The ad-interim pre-arrest bail granted to the applicant, Nadeem Babar on 25.10.2024 is hereby recalled. Whereas, case of applicant Babar is on different footing as he has not been assigned any specific role, hence, his bail application is allowed and ad-

interim pre-arrest bail granted to him vide order dated 18.09.2024 is hereby confirmed on same terms and conditions.

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

Office to place a copy of this order in connected bail application.

J U D G E

Rafiq/P.A