

ORDER SHEET  
IN THE HIGH COURT OF SINDH KARACHI  
**Crl. Bail Application No.2074 of 2024**  
(Zar Gul Khan v. the State)  
**Crl. Bail Application No.1416 of 2024**  
(Nazmeen Khan v. the State)

Date	Order with signature(s) of Judge(s)
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For hearing of bail application

**05.11.2024**

Mr. Ajab Khan Khattak, advocate for the applicant in **Crl. Bail Application No.2074 of 2024**  
Mr. Shah Imroz Khan, advocate for the applicant in **Crl. Bail Application No.1416 of 2024**  
Mr. Muhammad Iqbal Awan, Additional Prosecutor General  
PI/I.O Shakeel

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**Mohammad Karim Khan Agha, J:-** Applicants Zar Gul Khan and Nazmeen Khan were booked in FIR No.228/2024 under Section 324, 302,109,34 PPC registered at PS Peerabad, Karachi. They applied for pre arrest bail before the Court of Additional Sessions Judge-X (West) Karachi which was declined vide orders dated 05.09.2024 & 11.06.2024. Hence the applicants have approached this Court for post-arrest bail. Since both the bail applications arise out of one and the same FIR, I intend to dispose of both the bail applications by this common order.

2. Brief facts of the case as mentioned in the FIR are that on 27.03.2024 complainant Mst. Marwah stated that she was present at her house with her family members when at 1845 hours two unknown persons entered into her house and started firing upon them. Resultantly, her mother received serious bullet injuries while she also received bullet injuries on her leg. Their one companion was standing on motorcycle outside the house. All accused persons fled away and they were shifted to hospital where her mother succumbed to die and she was under treatment. She stated that her father Faiz ur Rehman sent the accused persons for their killing as he had grudge over her marriage proposal with Hazrat Ullah and he had already extended threats to her mother. She also stated that on instigation of her father, her paternal uncle and others killed her ex-fiancée Hayat Khan and such FIR No.458/2022, u/s. 302/34 PPC at PS Peerabaad was registered, hence, the aforesaid FIR was lodged against the present applicants.

3. I have heard learned counsel for the applicants and perused the material available on record. Learned Addl. Prosecutor General Sindh has opposed the grant of the instant bail.

4. At the very outset, although this is a serious case of murder, it is noted that the present applicants are not named in FIR; that no *hulia* of any of the applicants was given in the FIR. The applicants were arrested 05 days after the incident based on spy information. The applicants were not put before the identification parade and they are not alleged to have fired on any party. No weapon was recovered from them at the time of their arrest. Complainant Mst. Marwah has no objection to the grant of the bail to both the applicants.

5. Based on the above discussion, I find this case to be one of the further inquiry and hereby grant the present applicants post-arrest bail subject to furnishing their solvent surety in the sum of **Rs.200,000/-** each and P.R. bond in the like amount to the satisfaction of the trial Court.

6. This order is based only on a tentative assessment of the evidence. It is noted that the trial is pending before the Court of Xth-Additional Sessions Judge, Karachi, West, which is lying vacant. Learned District & Sessions Judge, Karachi, West, is directed to transfer this case immediately to a Court which is functioning and it will decide this case expeditiously within three (03) months of the date of this order. Copy of this order shall be sent to the learned District & Sessions Judge, Karachi, West, for compliance.

7. The instant criminal bail application stands disposed of in the above terms.

**JUDGE**