

THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

1st Criminal Bail No.S-343 of 2023

Applicants: (1). Riaz Hussain son of Muhammad Daim.
(2). Haji alias Atibar Ali son of Muhammad Usman.
(3). Abdul Kareem son of Muhammad Usman.
(4). Barkat Ali son of Abu Bakar.
(5). Imamuddin son of Zahid Hussain.
All by caste Shaikh.
Through Mr. Ghulam Rasool M. Narejo,
Advocate.

The State: Through Mr. Aitbar Ali Bullo, Deputy Prosecutor
General, Sindh.

Date of hearing: 11.09.2023

Date of Order: 11.09.2023

ORDER

SHAMSUDDIN ABBASI, J.- Through instant bail application, the applicants seek pre-arrest bail in the case emanating from F.I.R No.06/2023, registered at Police Station K.T.Mumtaz for offence punishable under Sections 337-A(i),337-F(i)(v)(vi),147, 149, 114 P.P.C. after their bail plea was declined by the learned Additional Sessions Judge, Ratodero vide Order dated 31.05.2023.

2. The brief facts of the prosecution case are that on 06.03.2022 complainant Khan Muhammad Shaikh appeared at Police Station and lodged the aforesaid F.I.R. stating therein that the accused mentioned in the F.I.R. had caused injuries to the prosecution witnesses.

3. Learned counsel for the applicants has contended that the alleged offence is compoundable and the complainant party has patched up with the accused party and they have sworn

their affidavits, recorded their no objection for grant of bail to the applicants/accused.

4. The complainant and learned Deputy Prosecutor General appearing for the State have recorded their no objection for grant of bail to the applicants/accused in the background of compromise effected between the parties.

5. Heard learned counsel for the respective parties and perused the material available on record. Admittedly, the alleged offence is compoundable. Complainant, P.Ws and the injured have filed their affidavits, in which they have admitted that they are entered into compromise with the applicants and they have no objection if the interim pre-arrest bail granted to the applicants/accused is confirmed. In my humble view the compromise in compoundable offence is a good ground for grant of bail as has been held in the cases reported as 2003 MLD 1665 (***Muhammad Rind and 3 others v/s. The State***), 2019 MLD 125 (***Sher Awan and another v/s. The State***), 2018 YLR 2501 (***Tahir Iqbal and 6 others v/s. The State***).

6. In view of the above, instant bail application is allowed; the interim pre-arrest bail granted to the applicants/accused vide order dated 23.06.2023 is confirmed on same terms and condition.

Judge

Manzoor