IN THE HIGH COURT OF SINDH KARACHI

CR. BAIL APPLICATION NO.1358 OF 2025

Applicant	:	Muhammadullah, Through Mr. Anwar Zaib, Advocate
Complainant	:	Mst. Asiya, Through Mr. Tahir-ur-Rehman Tanoli Advocate
Respondent	:	The State through Mr. Muhammad Noonari, DPG
Date of hearing	:	22nd September 2025
Date of announcement:		25th September 2025

O R D E R

Omar Sial, J.: Asiya has registered F.I.R. No. 161 of 2025 under sections 337-L(i), 506, and 34 P.P.C. against her husband, Mohammadullah, the applicant. Asiya recorded that she had a quarrel with her husband on 05.04.2024 in which he beat her and threw hot tea on her. The applicant's brother, Ameer Hamza, also threatened her with a pistol.

2.   I have heard the counsels and the Additional Prosecutor General.

3.   Asiya, surprisingly, is still married to the applicant and is about to conceive. She does not want to leave him. He, too, does not want to leave her. Be that as it may, the applicant has also obtained an order for the registration of an F.I.R. on 02.05.2025,

claiming that it was he who was beaten up on 14.04.2025 by the brothers of her wife. Surely this was a domestic fight in which the applicant may have thrown tea over the complainant. Yet, malice cannot be conclusively ruled out in view of the conflicting accounts of how the incident unfolded. There is no medical report to show that Asiya was beaten, but there is one that prima facie reflects scalding. The doctor has categorized the scalding as "other hurts" falling within the ambit of 337-L(ii), which is a bailable offence. An offence under section 506 is also bailable. It is essential to point out that the citation on which the learned trial judge has based his decision to deny bail in a bailable offence does not support this proposition. Perhaps due to the high volume of work, an unintentional oversight was made.

4.   Given the above, the interim pre-arrest bail is confirmed, however, against a surety of Rs. 500,000 and a P.R. Bond in the same amount. The amount deposited earlier may be adjusted against this bail amount.

JUDGE