

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-333 of 2025

Applicants: 1. Zahid S/o Abdul Karim,
2. Bilawal S/o Kasturo,
3. Nandlal S/o Tario,
4. Mevo S/o Kasturo,
5. Parshotam S/o Chetan,
6. Kirshan S/o Budho,
7. Genji S/o Tario,
Through Mr. Mujeeb-ur-Rehman Shar, Advocate.

Respondent: The State.
Through Mr. Neel Parkash, Deputy P.G.

Complainant: Jam Umar son of Yar Muhammad,
Through Mr. Abdul Waheed Baloch, advocate.

Date of Hearing: 10.12.2025

Date of Order: 10.12.2025

ORDER

Shamsuddin Abbasi, J: Through this Bail Application, the applicants/accused Zahid, Bilawal, Nandlal, Mevo, Parshotam, Kirshan and Genji seek pre-arrest bail in Crime No.56/2025 for offence under sections 341, 506(ii), 114, 337-A(i), F(i), 504, 147, 148 and 149 PPC of PS Sindhri, after dismissal of their bail plea by the learned Additional Sessions Judge-I, Mirpurkhas, vide order dated 11.11.2025.

2. It is alleged in the F.I.R that applicants came at the scene of offence duly armed with lathies, iron rods and hatchets and caused injuries to PW Qaisar, hence this FIR.

3. Learned counsel for the applicants submits that there is delay of one day in lodgment of the F.I.R without plausible explanation; that injuries sustained by PW Qaisar fall under sections 337-A(i) and F-(i) P.P.C which are bail able offences; that there is dispute between the parties over landed property and false implication cannot be ruled out with malafide intention and ulterior motive. Lastly, he prayed for confirmation of pre-arrest bail.

4. Conversely, learned D.P.G for the State assisted by counsel for the complainant has opposed for the grant of bail on the ground that there is no malafide on the part of the complainant to falsely implicate the applicants;

that injured Qaisar sustained 08 injuries, therefore, they are not entitled for grant of pre-arrest bail.

5. Heard learned counsel for the applicants, learned counsel for the complainant, learned D.P.G for the State and perused the record.

6. Admittedly, there is delay of one day in lodgment of the F.I.R and the injuries sustained by the injured Qaisar were declared falling under sections 337-A(i) and 337-L(ii) P.P.C which are bail able offences. Both the parties admitted their dispute over landed property. It is settled law that merits of the case can be considered in pre-arrest bail as held by Hon'ble Supreme Court of Pakistan in cases reported as **2022 SCMR 1271** and **PLD 2017 S.C 730**. The case has been challaned and the applicants are facing trial where charge has been framed. Sufficient material is available on record which makes out the case for grant of pre-arrest bail in the present case.

7. In view of the above, the instant bail application is allowed, and the interim pre-arrest bail earlier granted to the applicants vide order dated 14.11.2025 is hereby confirmed on the same terms and conditions.

8. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

The application stands disposed of.

JUDGE

Faisal