

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Bail Application No. S-352 of 2025

Applicants: Wahid Bux son of Ghulam Ali, Solangi
Through Mr. Muhammad Uzair Shaikh holding
brief for Mr. Dhanraj, Advocate

Complainant: Fayaz Ali a/w injured Mujahid in person

The State Mr. Mansoor Ahmed Shaikh, Deputy Prosecutor
General, Sindh.

Date of hearing: 09.02.2026

Dated of order 09.02.2026

ORDER

Khalid Hussain Shahani, J: - The applicant, Wahid Bux Solangi, invokes the discretionary jurisdiction of this Court under the criminal process, seeking affirmation of the ad-interim anticipatory bail earlier accorded to him vide order dated 28.04.2025 in relation to Crime No. 122 of 2025, registered at Police Station Naushahro Feroze, encompassing offences under sections 324, 147, 148, 149, 504, and 337-H(ii), Pakistan Penal Code, 1860. The forum of first instance, i.e. learned Sessions Judge, Naushahro Feroze, having declined such concession through order dated 17.04.2025, the applicant has renewed his plea before this Court.

2. The substratum of the prosecution's case, succinctly encapsulated, is that the complainant and the present applicant, being at variance over a rented commercial premises, hold a prior acrimonious history. It is alleged that on 24.03.2025 at about 7:30 p.m., the applicant, accompanied by armed confederates, descended upon the locus in quo, hurled contumelious invectives, and purportedly discharged firearm shots with homicidal intent; one projectile allegedly struck the complainant's cousin, Mujahid, thereby causing bodily injury, followed by the dispersal of the aggressors upon public alarm.

3. Learned counsel for the applicant submits that the entire edifice of the prosecution is a derivative of antecedent civil discord, that the offences invoked

are ex-facie compoundable in nature, and that an amicable rapprochement has since been achieved inter se the parties, evidenced by duly sworn affidavits of the complainant and the injured, expressly disclaiming any subsisting grievance and voicing no objection to the confirmation of the interim protective concession earlier granted.

4. Learned Deputy Prosecutor General, appearing for the State, as well as the complainant and injured present in person, have unequivocally assented to the confirmation of bail, acknowledging that the offences in question fall within the purview of statutory compoundability.

5. The record, when judicially perused, reveals that all the penal provisions invoked stand within the compendious ambit of compoundable offences. The affidavits sworn by the complainant and the injured evince voluntariness, absence of coercion, and bona fides, duly reaffirmed upon enquiry before this Court. They have also articulated their intent to formalize the compromise before the Court seized of the trial. The jurisprudence consistently propounded by the superior Courts postulates that once a reconciliation is bona fide consummated and no vestige of animosity lingers, the punitive pursuit loses its moral and legal substratum, and in consequence, custodial interference becomes otiose.

6. In the totality of circumstances, this Court is persuaded to hold that the applicant has succeeded in bringing his case within the protective fold of pre-arrest bail on the plank of a lawful and voluntary compromise. Accordingly, the instant Criminal Bail Application is allowed. The ad-interim pre-arrest bail earlier granted to the applicant vide order dated 28.04.2025 is hereby confirmed, subject to the same terms and conditions, with a further direction to ensure punctilious participation in the investigative and trial processes.

JUDGE