

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-508 of 2026

(Answer vs. The State)

Applicant : Anwar s/o Bachal Chandio
Through Mr. Francis Lucas Khokhar, Advocate.

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

Date of hearing : 20.10.2026

Date of Order : 20.10.2026

ORDER

NISAR AHMED BHANBHRO, J: Through the instant bail application, applicant Anwar s/o Bachal Chandio, seeks post arrest bail under Section 497 Cr.P.C in F.I.R bearing Crime No.111 of 2025, registered at Police Station Tando Jan Muhammad for offences punishable under Sections 397, 34 P.P.C. His earlier application for post arrest bail was dismissed by the learned Additional Sessions Judge-II, Mirpurkhas, vide order dated 14-09-2026 passed in Criminal Bail Application No. 66 of 2026, whereafter he invoked the jurisdiction of this Court.

2. The facts necessary for deciding instant bail application are that complainant Jahanzaib lodged instant F.I.R., on 22-07-2025 at PS Tando Jan Muhammad alleging therein that he owns and operates a vehicle showroom in Hyderabad. He received a call on his mobile phone, followed by photographs of a silver-coloured Suzuki Alto car, model 2021, which was offered for sale. Accordingly, on 22.06.2022, he, along with his friend Amit Malhi, went to the village of Muhammad Bachal Chandio and reached the Otaq of Anwar Ali. There, they met with Ashraf, Anwar Ali, Ali Gohar and Rashid, all by caste Chandio (accused persons). The said accused persons showed them a silver-coloured Suzuki Alto car and after negotiations regarding the deal, they forcibly robbed them of the amount of Rs. 1,700,000/- (Rupees Seventeen Lacs only) at gunpoint. They further threatened them not to disclose the incident to anyone. Out of fear of their weapons, they remained silent and left the place and returned to their home. Subsequently, complainant came at police station and lodged instant F.I.R.

3. Learned counsel for the applicant contended that the F.I.R is delayed by more than three years without any explanation; that due to enmity of the applicant/ accused police has got implicated the applicant in this false case; that co-accused Ashraf Chandio has already been granted bail by learned trial court, therefore, on the rule of consistency applicant is also entitled for the concession of bail. Therefore, he prays for grant of bail to the applicant.

4. Conversely, learned D.P.G opposed bail on the ground that offence alleged is serious in nature and is against society. He further submits that applicant is habitual offender and series of F.I.Rs of such like cases have been registered against him and his companions. He, therefore, prayed for dismissal of instant bail application.

5. Heard arguments and perused the record. Perusal of record shows that alleged incident took place on 22-06-2022 whereas complainant lodged instant F.I.R on 22-07-2025 i.e. after a delay of about three years and for such a long delay no explanation has been furnished. Moreso, alleged offence is punishable for not less than 07 years. Since the quantum of the sentence can be determined after conclusion of trial by the trial court, hence at this stage alleged offence does not fall within the ambit of prohibition clause of section 497(1) Cr.P.C. Furthermore, learned trial court has already granted post arrest bail to co-accused Ashraf vide order dated 17-10-2025 passed in Criminal Bail Application No. 1036 of 2025. The role assigned to the applicant in the alleged offence is similar in nature; therefore, rule of consistency is very much applicable to the case of the applicant. Moreso, no recovery of alleged robbed property was made from the possession or pointation of the applicant. Therefore, in such circumstances, the case of the applicant requires further inquiry, under section 497(2) Cr.P.C.

6. For the foregoing reasons and without expressing any final opinion on the merits of the case, the applicant has succeeded in making out a case for grant of post arrest bail. Consequently, the applicant namely Anwar s/o Bachal Chandio is admitted on bail subject to furnishing a solvent surety in the sum of Rs.100,000/= (Rupees One Hundred Thousand only) and P.R. Bond in the like amount to the satisfaction of learned trial court.

7. Needless to observe that the findings and observations recorded herein are purely tentative in nature and confined to the disposal of the instant bail

application. The learned trial Court shall decide the case strictly on the basis of the evidence brought before it, independently and without being influenced by any observation contained in this order.

The instant bail application stands **allowed** accordingly.

JUDGE

Saleem

In view of above reason, no case for grant of bail is made out; consequently instant bail application stands dismissed.

7. From the tentative assessment of material available on record as has been discussed above there appears sufficient grounds to believe that the applicant is connected with the commission of offence which carries punishment for death or imprisonment for life and the same falls within the ambit of prohibitory clause of section 497, Cr.P.C., disentitling the applicant from the concession of bail. The grounds so raised by learned counsel for the applicant require deeper appreciation of evidence, which is not warranted at bail stage.