IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-747 of 2026

Cr. Bail Application No.S-968 of 2026

Applicant	:	Sadique Ali @ Sadique son of Agho Khan Kaloi @ Agha Khan, through Mr. Aroon Kumar, Advocate in Cr. Bail Appln. No.S-747 of 2026.
Applicant	:	Ramzo son of Ramzan, through Mr. Ghazi Salahuddin Panhwar, Advocate in Cr. Bail Appln. No.S-968 of 2026.
The State	:	Ms. Sana Memon, Assistant P.G.
Date	:	05.10.2026

O R D E R

Jawad Akbar Sarwana, J. By this common order, I propose to dispose of the above-captioned criminal bail applications, filed separately on behalf of the above-named applicants, seeking pre-arrest bail in one and same F.I.R. No.71 of 2026, registered at Police Station, Tando Bago, District Badin, under Sections 452, 506/2, 337-H(ii), 337-A(i), 337-F(i), 504, 509 PPC.

2. Briefly, the facts of the case are that complainant Mst. Bibi lodged the present FIR No.71/2026 on 27.04.2026 @1130 hours at P.S. Tando Bago, alleging that on 02.04.2026 at 05:30 p.m., accused Lutuf with a gun, Rahib with a lathi, and Ilyas with a hatchet entered her house, abused them, and assaulted her family. It is pertinent to mention here that neither the applicant/accused Saddique Ali s/o Saddique nor Ramzoo s/o Ramzan were initially nominated in the said FIR.

3. Subsequently, as per the Order dated 23.07.2026 in Cr. Bail Appln. 1328/2026 in FIR No.71/2026, pursuant to the Orders of the Ex-Officio Justice of Peace, the Investigation Officer recorded the statement of the informant, Ilyas Kaloi, in the same FIR and a counter-version came on record, wherein it was averred that the informant, his brother and his maternal nephew were present in their house on 02.04.2026 @5:30pm, when inter alia, Ramzoo son of Ramzan Kaloi (armed with a hatchet), came there and abused them and Ramzan caused a hatchet's backside blow to Allah Jurio, the informant's brother, etc.

4. It is most strange that the computerized version of the said FIR No.71/2026 available in English in the Cr. Bail Appln. No.968/2026 does not mention "Saddique"; whereas the very same FIR in Cr. Bail Appln No.747/2026 positively mentions "Saddique", recording that Saddique had a hatchet, and that the accused Saddique hit her son Jan Muhammad on the right eye with a hatchet, etc.

5. Learned Counsels for Sadique, at the very outset, submits that during the pendency of these applications, the parties have arrived at a genuine compromise voluntarily and have buried their differences. Therefore, the interim pre-arrest bail already granted to the applicant/accused-Sadique may be confirmed.

6. Learned APG, after perusing the compromise application and verifying the identity of the complainant and injured, leaves the matter to the discretion of the Court, confirming that the offences are compoundable except that section 452 PPC is not compoundable; however, both parties allege house trespass and only one version can exist, which can only be determined during further investigation/inquiry and trial.

7. Heard and record perused.

8. After hearing the learned Counsel for the parties, it is observed that the parties have certainly compounded the offence as between Sadique Ali and decided to bury the hatchet, so as to ensure a peaceful living in future. On 18.08.2026, the complainant, Mst. Bibi, wife of Ramzan Kaloi, and one of the witnesses, namely Ramzan, were present and filed their Affidavits of "No Objection". Thereafter, on 24.08.2026, the three remaining injured persons, namely Shamoon and Jan Muhammad, both sons of Ramzan Kaloi, and Allah Jurio, son of Sudal, were present and filed their Affidavits of "No Objection", which were taken on record. In their respective Affidavits, the complainant and all injured persons have pardoned the applicant/accused Sadique without any coercion, fear, or pressure and have no objection to the applicant/accused Sadique being admitted to bail. The offences charged against the applicants/accused fall within the category of compoundable offences, except Section 452 PPC.

9. Therefore, I now turn to this section, i.e. Section 452 PPC, which deals with house trespass. It cannot be the case that, in both versions of the case

involving different parties on the same date and time, house trespass was alleged in two separate homes, simultaneously. The FIR is completely silent on this aspect. Furthermore, the dates mentioned in the FIR do not add up. The date of registration in the FIR in Sindhi language is 27.04.2026, and there is a delay of around 25 days in lodging the FIR, which has not been explained notwithstanding the proceedings before the Ex-Officio Justice of Peace. Finally, the two versions of the FIR in Sindh are similar, whereas the English translations differ.

10. Given the facts above, both applicants/accused Sidique Ali @ Sadique s/o Agho Khan Kaloi @ Agha Khan and Ramzo s/o Ramzan have been able to demonstrate *malafides* in lodging the FIR. Therefore, the interim pre-arrest bail granted in FIR No.71/2026 to the applicants/accused Sidique Ali @ Sadique s/o Agho Khan Kaloi @ Agha Khan (Rs.50,000/-) and Ramzo s/o Ramzan Muzaffar Hussain (Rs.30,000/-) in terms of the order dated 15-06-2026 and 23.07.2026, respectively, is hereby confirmed subject to furnishing solvent surety in the sum of Rs.50,000/- and PR Bond in the like amount to the satisfaction of the Additional Registrar of this Court. For the avoidance of doubt, the surety and PR Bond in the case of Ramzo stand enhanced by Rs. 20,000, totaling Rs.50,000/-.

11. Needless to state that the observations above are tentative and shall not be construed to prejudice the case of either side at trial.

12. The Bail Applications stand allowed in the above terms.

JUDGE

Shahid