

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Bail Application No.S-188 of 2026

[Wajahad Almani vs. The State]

Applicant : Wajahad Almani, *through*
Mr. Ali Gul Abassi, Advocate.

The State : *through*, Syed Sardar Ali shah Rizvi,
Additional Prosecutor General.

Legal Heir : Inayatullah Almani, (father of
deceased), *through*, Miss Sitara Bhatti,
Advocate.

Date of Hearing : 20.04.2026
Date of order : 20.04.2026

ORDER

Ali Haider 'Ada' J.- Through this bail application, the applicant namely Wajahad Almani seeks post-arrest bail in Crime No. 71 of 2025, registered at P.S Baiji Shareef, Pano Aqil, for offences punishable under Sections 302, 311 and 120-B PPC. Prior to this, the bail application of the present applicant was dismissed by the learned Additional Sessions Judge, Pano Aqil, vide order dated 03.01.2026.

2. The brief facts of the prosecution case are that on 23.05.2025, SIP Aijaz Ahmed, on behalf of the State, lodged the FIR stating that during patrolling, they received spy information that accused Peral, Wajahad (present applicant), Irfan, and one unknown person had conspired to commit the murder of Mst. Zaheeran, wife of the present applicant, on the allegation of so-called honour (Karo-Kari). Acting upon such information, the complainant party proceeded to the place of the incident, where they allegedly witnessed that the present applicant, armed with a hatchet, inflicted a blow upon a lady, who fell. Due to the rush at the spot, the accused persons managed to escape. The injured lady disclosed her name as Mst.

Zaheeran, wife of the applicant, and stated that her husband, along with others, attacked her on the allegation of honour. The complainant party immediately shifted her to Taluka Hospital, Pano Aqil, along with police personnel. Efforts were made to apprehend the accused persons; however, after some time, it was reported that the injured lady had succumbed to her injuries. After completion of medico-legal formalities, the dead body was handed over to the legal heirs. Since the accused persons could not be arrested immediately, the FIR was lodged on behalf of the State.

3. After registration of the FIR, the applicant was arrested on 29.05.2025 along with the alleged crime weapon. Thereafter, usual investigation was carried out and challan has been submitted before the trial Court.

4. Learned counsel for the applicant submits that there is a delay of about 10 hours in lodging the FIR; that the complainant is a police official and none of the legal heirs of the deceased lodged the FIR; that even if the prosecution case is believed, no serious effort was made by the police to apprehend the accused at the spot; and that the identification of the accused at night time is doubtful in absence of proper light arrangements. He further submits that the father of the deceased has filed an affidavit expressing no objection to the grant of bail and that the co-accused persons have already been granted bail by the trial Court. Reliance has been placed upon 2024 P.Cr.L.J 1499 and 2021 YLR Note 66.

5. Learned counsel for the father of the deceased has filed an affidavit stating that he has no objection to the grant of bail to the applicant.

6. Conversely, the learned Additional Prosecutor General has opposed the bail application and contended that the present applicant is the husband of the deceased; therefore, it is for him to explain the unnatural death of his wife, particularly when no effort

was made by him to report or contest the occurrence. He further submits that the applicant has been specifically nominated with a direct role of causing hatchet injury; that recovery of the weapon has been effected and the chemical report is positive; and that the case of the present applicant is distinguishable from that of co-accused, as no specific role was assigned to them, therefore, the rule of consistency is not applicable. Reliance has been placed upon unreported orders passed by Circuit Court Mirpurkhas in Criminal Bail Application No. S-21 of 2025 (Muhib Ali vs. The State) and Criminal Bail Application No. S-52 of 2025 (Suleman Shar and others vs. The State).

7. Heard and perused the material available on record.

8. Prima facie, the case of the applicant does not merit the grant of post-arrest bail. The record shows that the ocular account is supported by prosecution witnesses whose statements are consistent, corroborative, and in line with the prosecution's case that the deceased was murdered on the pretext of Kari (honour killing).

9. It further appears that Mst. Zaheeran, the wedded wife of the applicant, was subjected to a fatal attack allegedly by the applicant himself. At this stage, there is sufficient material on record linking the applicant with the alleged offence. The consistent statements of witnesses, coupled with medical evidence and the sequence of events, prima facie support the prosecution's case. In this regard, guidance may be sought from the authoritative judgment of the Honourable Supreme Court in *Itbar Muhammad v. The State and others* (2024 SCMR 1576), the relevant paragraphs whereof are reproduced as under:

7. On perusal of record it reflects that this is a case in which one person has lost his life and one person has sustained injuries at the hands of accused persons. Furthermore, the petitioner/accused along with another accused was nominated in the FIR and specific role of firing at the deceased and injured person was attributed to petitioner specifically. P.Ws in their statements have supported the version of

the complainant given by him in the FIR. The medical evidence also corroborates the ocular account.

9. *This Court in the case of Shoukat Ilahi v. Javed Iqbal and others (2010 SCMR 966) has ruled as under:-*

"6. We have given due consideration to the submissions made and have gone through the material available on record. From the record, we find that the name of the petitioner was mentioned in the F.I.R.; that the motive had been alleged against him; that a specific role of raising lalkara was assigned to him and that it was specifically mentioned that he and his co-accused fired at the deceased, which hit him. The P.Ws. have supported the case in their 161, Cr.P.C. statements which is further corroborated by the medical evidence, as according to the Medical Officer the deceased had six firearm entry injuries

10. The medical evidence on record fully supports the ocular account of the prosecution witnesses. The allegation involves the brutal murder of a young woman on the pretext of so-called honour, which entails punishment of death or life imprisonment, thus squarely attracting the prohibitory clause of Section 497, Cr.P.C. Reliance is placed on *Kamran v. The State (2024 SCMR 1419)*.

11. The prevailing practice of honour-based violence is a grave social evil, often resulting in killings carried out without regard to law or accountability. Such acts are not isolated incidents but reflect a form of gender-based violence, where women are targeted, frequently by their own family members, under the pretext of so-called 'honour.' These killings have no legal justification and are strongly condemned. The Honourable Supreme Court has unequivocally condemned such acts. In this regard, reference is made to *Muhammad Ali Mahar v. The State (2024 SCMR 1584)*, wherein the relevant observations are reproduced below for ready reference:

16. We have also surveyed and glance over some research-based articles on "Honour Killing" which are very enlightened to the subject and for better understanding, few passages are reproduced as under: -

1. *Karo kari is defined as an act of murder, in which a woman is killed for her actual or perceived immoral behavior. In Karo Kari if a woman is engaged in some kind of unlawful sexual relationship with*

a man or if she has refused to submit to an arrange marriage, she is branded as Kari or "black female" and in order to cleanse the honor of the man to whom she 'belongs' he received permission to kill her and prove that he has safeguarded his honor by doing so. Whereas the tribal law dictates that the man who is branded karo or "black male" should also be killed but usually that does not happen and the karo has the opportunity to flee, while his family members negotiate with the dishonored family to save his life. Ref: Honor Killings-Reckless Practice of the Culture, Asian Human Rights Commission (2012), [[http://www.humanrights.asia/opinions / AHRC-ETC-010-2012](http://www.humanrights.asia/opinions/AHRC-ETC-010-2012)].

2. *Honor killing is one form of extreme violence perpetrated on women by men... It is called karo kari (literarily: blackened man, blackened woman). It most commonly is a premeditated killing of a girl or woman, committed by her brother, father, or combination of male agnates in the name of restoring what they consider their family's honor by her behavior. The genesis of honor killing in human societies is deeply sedimented in history but has been linked by various scholars with ascendant patriarchal structures. Ref: A Hermeneutic Study of Various Discourses, ProQuest Information and Learning Company (2003), [<https://shareok.org/handle/11244/590>].*

3. *Honor killings are known as 'Karo Kari' which in literal sense means 'black man and black woman' who deserves exclusion from the community. In other words, it is a homicide of a family member committed by close relatives such as brother, father, husband, or mother of the victim for bringing dishonor upon family or community. Examples of the acts that trigger homicide may include: wanting to marry of their choice, wishing to seek employment, wanting to live according to free will, dressing inappropriately' or in general refusing to give in to the normative standards of behavior set by the local tribe or community. Ref: Rep Opinion, Masland Press (2021), [<https://www.sciencepub>].*

4. *Honor killings have been pervasive in traditional societies where woman symbolizes the "honor" of the family. Generally, a woman is killed by male relative (usually her father, brother, or husband) for engaging in or being suspected of committing illicit sexual acts. Though family honor rests upon the behavior of family members, women provide a convenient scapegoat in the face of such subjective qualifications as 'public morality', 'decency' and 'religion'.... Honor killing aims to cultivate fear in women to ensure that they blindly and obediently observe the miles set by male members of their family do not raise their voice against marital violence and abstain from pursuing their Islamic and legal rights..... This practice of honor killing stems from the dual conception of women; women as repositories of honor and women as property. In cases of honor killing, if a woman is accused of having an illicit relationship or if she seeks to choose her own partner, which is considered against her tribe's custom and tradition, she loses her objective value. Ref:*

Journal of Positive School Psychology (2022), [<https://journalppw.com>].

5. Honor killings, or murders to avenge and restore 'shame', have long been a feature of deeply conservative, traditionalist and tribalistic community. The culture is highly problematic because it leads to fatalities without fear of consequence or retribution, creating a sense of lawlessness in society. More than that, it is a ritual that punishes women more than men, with deaths of the former twice that of the latter. The Human Rights Commission of Pakistan (HRCP), one of the civil society groups attempting to tackle this menace, highlighted the dangerous interplay between archaic traditions and modernday power struggles.... Pakistan's 'Manly' Tradition of Settling Scores of 'Shame' via Blood of Women, *Friday times* (2023), [<https://thefridaytimes.com/18-Sep-2023>]

12. It is a matter of common observation that incidents of honour killing are frequently reported in our society. In many such cases, witnesses do not come forward, as both the accused and the victim often belong to the same family or community, resulting in suppression of evidence to shield the offenders. Such cases, therefore, require careful consideration and judicial caution, particularly in view of the discretionary nature of the relief sought. In this regard, reliance is placed upon *Mukhtiar v. The State* (2024 P.Cr.L.J 2001), wherein it was held that:

7. *The judiciary can play a crucial role in eliminating honour killings by ensuring that existing laws against honour killings are rigorously enforced, with no leniency or impunity for perpetrators. Strict enforcement would contribute significantly to the eradication of honour killings and the promotion of justice and gender equality. However, this remains a complex and persistent problem that requires ongoing efforts to change societal attitudes and protect vulnerable individuals. The Government of Pakistan on its part, in the year 2016, enacted the Anti-Honor Killing (Criminal Laws Amendment) Act, which closed legal loopholes that allowed perpetrators to escape punishment by seeking forgiveness from the victim's family. Amendments to the Pakistan Penal Code were introduced to tighten the legal framework and increase penalties for honour killings in Pakistan.*

8. *I am aware that the evidence in the case is weak if one treats a case of honour killing on the same pedestal as other crimes. Perhaps, the applicant would have made out a case for a grant of bail in a crime of a different nature however, in my humble view, cases of honour killings are a category which requires to be adjudicated with a different yardstick. I have therefore shown less leniency in the present case while deciding this bail application as I am of the*

opinion that there is circumstantial evidence against the applicant, albeit weak, yet sufficient to deny him bail.

13. In view of the foregoing discussion and upon careful consideration of the material available on record, I am of the considered opinion that the applicant/accused has failed to make out a case for the grant of post-arrest bail. Accordingly, the instant bail application stands dismissed.

J U D G E