

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Application No. 638 of 2025

Applicant : Jannat Meer s/o. Shaikh Meer
through Mr. Abdul Wahab Sahito, Advocate

Respondent : The State
through Mr. Qamaruddin Nohri, D.P.G. Sindh
a/w SI-Uris Bhan of PS Quaidabad.

Date of hearing : 25.04.2025

Date of order : 25.04.2025

ORDER

KHALID HUSSAIN SHAHANI, J. – Applicant Jannat Meer s/o. Shaikh Meer seeks post-arrest bail in case bearing crime No.454/2024, offence u/s 302 PPC of P.S. Quidabad. His bail plea was declined by the learned Additional Sessions Judge-IV, Malir, Karachi vide order dated 03.03.2025.

2. According to the prosecution, complainant's daughter Zainab, was married to Akhtar Zameen about 15 years back. From this marriage, two children were born: (1) Saifullah, aged about 11 years, and (2) Baby Aqsa, aged about 8 years. They were residing at Gul Ahmed Tailor, Master Bilal Colony, Nala Gali, Ahmed Chowrangi, Landhi, Quaidabad. His son-in-law has been working in Saudi Arabia for the past nine years and visits his home in Karachi every year. The complainant currently resides in KPK, Mardan. On 27/07/2024, his son-in-law, Akhtar Zameen, informed him through a phone call from Saudi Arabia that a neighbor in Karachi had told him that his daughter, Zainab, had been killed by his brother, Jannat Meer by gunfire for an unknown reason. The complainant traveled to Karachi and reached at about 11:00 a.m. by bus. Upon arrival at his son-in-law's house, he found him present, and the dead body of his daughter was kept in the morgue. He saw the body in the morgue's cold storage and gathered information regarding the incident. Accordingly, lodged FIR holding Jannat Meer responsible for killing his daughter by shooting her for an unknown reason.

3. Learned counsel submitted, the applicant has been falsely implicated due to personal enmity. He pointed out that FIR was lodged on 29.07.2024 whereas alleged incident took place on 27.07.2024. He further contends that no any eye witness and no any last seen evidence brought on record to connect the present applicant. Lastly, he prayed for grant of bail.

4. On the other hand, learned DPG vehemently opposes the bail application on the ground that no mala fide on the part of the complainant has

been shown to indicate that applicant has been implicated falsely, therefore, not entitled for the relief sought.

5. A bare reading of the FIR reveals the alleged incident to be unwitnessed one, and there is an unexplained delay of two days in its registration of the FIR. All the evidence appears to be hearsay in nature, and no source of information has been disclosed. During course of investigation, no recovery of whatsoever has been effected from the applicant. A specific query was put forth to the learned DPG regarding the evidence if any collected by the Investigating Officer to link the applicant with the commission of the alleged offence. In response thereof, he repeatedly conceded that, except for hearsay allegations claiming the applicant as solely responsible for the murder of an innocent lady, nothing concrete has been brought on record. Learned counsel for the applicant during the course of arguments submitted that the prosecution has examined four witnesses, out of whom three have been declared hostile, while the evidence of the remaining witness is also hearsay in nature. A perusal of the impugned order transpired that the reason for the dismissal of the bail application was the non-examination of the complainant. However, this cannot be considered a valid ground, especially when, from the contents of the FIR, it prima facie appears that even the allegations made by the complainant are hearsay. The case has already been challaned, and the applicant is no longer required for investigation

6. Given the above, the applicant has succeeded to make out a case for further inquiry as envisaged under Section 497(2) Cr.P.C. Accordingly, he is admitted to bail, subject to furnishing a solvent surety in the sum of Rs.5,00,000/- (Rupees Five Hundred Thousand only) and a P.R. bond in the like amount to the satisfaction of the learned trial Court.

7. The above observations are tentative and shall not prejudice the case of either party at the trial.

J U D G E

shahbaz