

**THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

Criminal Bail Application No.S-1325 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
	For orders on office objections. For hearing of main case.

01.01.2025.

Mr. Wajid Ali Khaskheli, advocate for the applicant.
Mr. Nazar Muhammad Memon, Additional Prosecutor General.
ASI Sadam Hussain, PS Johi, Dadu.
Applicant is present on ad-interim pre-arrest bail.

O R D E R

MUHAMMAD IQBAL KALHORU, J:- It is alleged in FIR that on account of exchange of hot words between applicant and the complainant's son, namely Saifal Bux, the applicant, along with two unknown accused persons, came to the street where the complainant's house is situated, on 18.10.2024, armed with a pistol and allegedly fired at the complainant's son, causing him a firearm injury to the knee, leading to registration of FIR.

Learned defense counsel contends that the applicant is innocent and has been implicated in this case due to a property dispute between the applicant and the complainant, who is his real uncle. The counsel further argues that the injury is on the lower part of the thigh and not on the knee as stated in the FIR, making the case to be the one that requires further inquiry. Additionally, there is no allegation of repeated firing by the applicant.

On the other hand, the learned Additional Prosecutor General has opposed the bail application, stating that prima facie Section 324 PPC is attracted.

The injury caused to the complainant's son is prima facie established from the medical report, which classifies same to be firearm under Section 337-F(iii) PPC. The fact that the applicant, armed with a pistol, came to the street where complainant's house is situated and fired at the complainant's son is prima facie supported by the medical record and the statements of witnesses recorded under Section 161 CrPC, including the statement of victim under

Section 161 CrPC. Therefore, no case for extraordinary pre-arrest bail is made out which is only meant to protect an innocent person from arrest and humiliation if falsely implicated in a criminal case. Accordingly, the bail application is dismissed, and the ad-interim pre-arrest bail granted to the applicant vide order dated 10.12.2024 is hereby recalled.

The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE

Irfan Ali