

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.182 of 2025

Applicant : Rana Muhammad Sameer S/o Rana
Muhammad Rizwan through Mr. Abdul
Salam Memon, Advocate

Complainant : Muntazim Ara Shaikh W/o Shaikh
Muhammad Siddiq through Mr. Muhammad
Hanif, Advocate

Respondent : The State
through through Mr. Gul Faraz Khattak,
Assistant Attorney General a/w I.O. Dr.
Sheikh Suhail Mehmood, FIA AHTC, Karachi

Date of hearing : 20.03.2025

Date of order : 20.03.2025

ORDER

AMJAD ALI SAHITO, J -- Through this Bail Application, applicant/accused seeks pre-arrest bail in Crime No.268/2024 for the offence under Sections 420, 468, 471, 109, 34 PPC registered at PS FIA AHT Circle, Karachi, after his bail plea has been declined by the learned XIVth Additional Sessions Judge, Karachi East vide order dated 09.01.2025.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Per learned counsel for the applicant, applicant is innocent and has falsely been implicated in this case; that if any role assigned is against lady accused Shabana, who has allegedly shown her as wife of deceased Shaikh Muhammad Aziz and role assigned against the present applicant is that he has facilitated the lady accused for preparation of false divorce certificate for her husband Abbas, otherwise there is no role against him. Lastly, he prays for confirmation of bail.

4. On the other hand, learned Assistant Attorney General has vehemently opposed for confirmation of bail on the ground that *Nikahkhama* was prepared on fake documents and present applicant facilitated the main accused. However, I.O. present in Court stated

that in fact he has recorded statement of one accused Rehmatullah Siddiq and on the basis of such statement, he has been booked in this case.

5. Heard the parties and perused the material available on record.

6. From perusal of record, it reflects that the role assigned against the lady accused Mst. Shabana is that she has prepared a false CNIC to get the property of deceased Shaikh Muhammad Aziz whereas role assigned against the applicant is that he has facilitated the lady accused in preparing false divorce certificate from her husband Abbas. When it was confronted from the I.O. as to whether he has any documentary proof against the present applicant, he replied that the applicant has transferred Rs.8000 through *easypaisa* otherwise there is no evidence. So far as plea of the I.O. that on the statement of accused Habibullah Siddiq, the present applicant has been booked in this case, the applicant present in Court denied such allegation levelled by accused Habibullah Siddiq. Since the evidence is available on the record simply words against words, otherwise no documentary evidence is available on the record, hence all these aspects will be seen when evidence will be recorded. Learned counsel for the applicant has also pleaded malafide on the part of complainant. At bail stage, only tentative assessment is to be made.

7. In view of the above, learned counsel for the applicant has made out a case for grant of bail in terms of subsection 2 of section 497 Cr.P.C. Resultantly, the instant bail application is **allowed**. The interim pre-arrest bail granted to the applicant/accused vide order dated 22.01.2025 is hereby confirmed on same terms and conditions. The Applicant is directed to attend the trial. However, it is made clear that if the applicant/accused misuses the concession of bail, learned trial Court would be at liberty to take appropriate action.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant/accused on merits.

JUDGE