

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

Criminal Bail Application No.S-799 of 2025

Applicant : Shahnaz Daudpota d/o Gul Muhammad
Daudpota, through Mr. Hyder Ali Unar,
advocate.

Complainant : Saddam Hussain Laghari is present in
person.

Respondent : The State, through Mr. Irfan Ali Talpur,
Deputy Prosecutor General, Sindh along with
Zeeshan Haider Memon, Circle Officer, ACE
Jamshoro.

Date of hearing : **13.08.2025**
Date of order : **13.08.2025**

ORDER

TASNEEM SULTANA, J.- Through the instant bail application, the applicant/accused above-named seeks pre-arrest bail in Crime No.02 of 2025, registered under Sections 161, 34 PPC read with Section 5(2) Act-II, 1947, at PS ACE Jamshoro, after her bail plea has been declined by the learned Special Judge Anti-Corruption (Provincial), Hyderabad, vide order dated 19.07.2025.

2. Brief facts of the case are that the complainant Saddam Hussain Laghari lodged FIR at ACE Jamshoro stating that his sister-in-law, Mst. Naheed Laghari, had filed a complaint against her husband, Atta Hussain Laghari, and himself before the Women Protection Cell (WPC), Jamshoro, on 19.06.2025. On 20.06.2025, he was called to WPC, where SIP Shahnaz Daudpota allegedly took his personal belongings, detained him for several hours, abused him and demanded a bribe of Rs.40,000/-, threatening to implicate him in narcotics and arms cases if amount is not paid. The complainant alleged that he arranged Rs.20,000/- through his brother, which was allegedly handed over to clerk Noshad Ali in presence of SIP Shahnaz, who directed him to pay the remaining amount within three days. On 27.06.2025, allegedly the remaining Rs.20,000/- was to be received by co-accused Noshad Ali however, raid was conducted by Circle officer Anti-Corruption Establishment Jamshoro@ Kotri along with Civil Judge & Judicial Magistrate/Judge Consumer Protection Court Jamshoro wherein co-accused Noshad Ali was arrested and bribe amount of Rs.20,000/- was recovered from him.

3. Learned counsel for the applicant has contended that the applicant is innocent and has falsely been implicated in this case; that in fact, the applicant/accused and her brother/co-accused had no knowledge about the registration of the case against them; that when the concerned police raided their house, with malafide intention, to cause their illegal and unjustified arrest, and then they came to know about their alleged false involvement in the present case; that thereafter, they surrendered themselves before the learned Special Judge, Anti-Corruption Establishment (Provincial), Hyderabad, and obtained pre-arrest bail on 19.07.2025; that the complainant, by managing and fabricating a false and concocted story, succeeded in lodging the instant FIR against the applicant/accused and her brother; that according to the complainant, he remained confined at WPC for about 7/8 hours and during such period he contacted his brother and friend; however, surprisingly, none of them lodged any complaint with 15-Police Madadgar or reported the alleged illegal act to the SSP concerned; that admittedly, the sister-in-law of the complainant had filed a complaint against him alleging that he had forcibly asked the young boy of the complainant to sell drugs (Z-21, etc.), and upon his refusal, the complainant severely beaten his sister-in-law and ousted her from the house; that on said complaint of Mst. Naheed Laghari, the complainant was called and directed to mend his ways; that the instant FIR, therefore, is nothing but a bundle of lies against the applicant/accused, who is a respectable lady and has remained immaculate throughout her career; that the case rests upon documentary evidence which is in the possession of the Anti-Corruption Police; hence, there is no likelihood of tampering with the same if the applicant/accused is released on bail.

4. Conversely, learned DPG has argued the applicant has been nominated in the FIR with specific role for demanding Rs.40,000/- as bribe from the complainant for which the complainant had paid an amount of Rs.20,000/- on the same date and for remaining Rs.20,000/- date was fixed for which trap proceedings were initiated. Hence, the applicant is not entitled for bail.

5. To assess and evaluate the grounds agitated on behalf of the parties, it is well settled principle of law that at bail stage a deeper appreciation of evidence cannot be gone into, but a bird's-eye view is to be taken to available record before the Court to satisfy prima facie whether accused is/are connected with commission of offence or not. If he makes out a case for the aforesaid concession. Keeping in view of the above principle, the learned counsel for the parties have been heard and record has been perused.

6. It appears that applicant/accused being incharge Women Protection Cell received a complaint on 18.06.2025 of Mst. Naheed Laghari (sister-in-law of complainant) against her husband Atta Hussain Laghari, Saddam Hussain Laghari/complainant of present crime and Ali Hyder stating therein that her husband and his brothers are compelling her son for selling drugs (Z-21, etc.) and on refusal her husband beaten the complainant & her son therefore their life become miserable. It further reflects that that complainant was called and his statement was recorded on 23.06.2025.

7. The record further reveals that on 25.06.2025 complainant filed a written complaint against the present applicant/accused stating therein that he received a call from the office of WPC for his appearance on 23.06.2025 at about 01.30 p.m. in connection of complaint filed by his sister-in-law. It may be noted that as per statement of complainant, on 23.06.2025 he was detained in the office of WPC till 7/8 p.m. thereafter applicant/accused called him in her office and demanded illegal gratification amounting to Rs.40,000/- whereas his brother PW Khalid Hussain Laghari in his statement under Section 161 CrPC has stated that around afternoon time he received call of his brother Saddam Hussain who asked for arranging Rs.20,000/- as Incharge WPC, the present applicant/accused demanded illegal gratification.

8. It may be observed, according to complainant he was detained in the office of applicant upto 7/8 pm, thereafter he arranged Rs.20,000/- through his elder brother Khalid Hussain and gave to co-accused Noshad Ali in presence of applicant/accused, thereafter he was allowed to leave office but he did not made such complaint promptly before any forum including ACE. However, on 25.06.2025 he filed a written complaint in the office of ACE Jamshoro @ Kotri. On 27.06.2025 co-accused Noshad Ali was trapped and alleged tainted money was recovered from the front seat of car.

9. In the above circumstances it is the trial Court who after recording evidence would decide about the guilt or otherwise of the applicant and no useful purpose would be served by sending the applicant behind the bars for an indefinite period. Prima facie, there are sufficient grounds to take into consideration that the case of the applicant is fully covered under Section 497(2) CrPC calling for further inquiry into the guilt. Reliance is placed on the case of *Muhammad Yousuf versus the State* (1983 SCMR 102).

10. Accordingly, the instant bail application is allowed. The interim pre-arrest bail granted to the applicant/accused by this Court vide order dated 22.07.2025 is hereby confirmed on the same terms and conditions.

11. Needless to mention here, that the observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case of the applicant on merits.

12. These are the reasons of short order dated 13.08.2025.

J U D G E

Irfan Ali