

IN THE HIGH COURT OF SINDH AT KARACHI

Crl. Bail Application No. 919 of 2025

Applicant : Akhtar
through Mr. Iftikhar Ali Shah,
Advocate

Complainant : through Mr. Nawab Uddin Shar,
Advocate

Respondent : The State
through Mr. Ali Haider Saleem,
Addl. Prosecutor General Sindh

Date of hearing : 19.05.2025

Date of Order : 10.06.2025

ORDER

Omar Sial, J: The applicant, Akhtar, seeks post-arrest bail in crime number 414 of 2022, registered under sections 302 and 34 P.P.C. at the North Nazimabd police station. The sole ground raised is the delay in the conclusion of the trial.

2. Facts necessary for the present purpose are that the F.I.R. was registered on 28.08.2022. Akhtar has been in custody since 03.09.2022. The third proviso to section 497 Cr.P.C. provides that when a person is charged with an offence punishable with death, his trial must be completed within two years of his detention, or he shall be released on bail. This right is subject to certain limitations, one of which is that the delay must not have been caused by the accused or anybody acting on his behalf. I have gone through the case diaries with the assistance of counsel and the Additional Prosecutor General. I am inclined to agree with the learned trial court and the learned Additional Prosecutor General that the entire delay in the trial cannot be attributed to the prosecution. The applicant himself

has also contributed to the delay. I also agree with the observations made by the learned trial court in the impugned order in this regard.

3. The bail application is dismissed with directions to the learned trial court to use its best efforts to conclude the trial within four months. If the trial is not ended, the applicant may move a fresh application before the learned trial court on the ground of statutory delay.

JUDGE