

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Criminal Bail Appln. No. S-453 of 2025

Applicant : Sadiq Ali son of Muhammad
Saajan Nindwani

Through Mr. Irfan Badar
Abbasi, advocate

The State : Through Mr. Nazeer Ahmed
Bhangwar, D.P.G for the
State

Date of hearing 18-09-2025

Date of order 18-09-2025

ORDER

SHAMSUDDIN ABBASI, J.- Through instant criminal bail application, the applicant/accused Sadiq Ali Nindwani seeks pre-arrest bail in Crime No. 81/2025 of P.S. Karampur, registered under Sections 324, 353, 402, 399, 148, 149 P.P.C, after rejection of his bail plea by the learned trial Court vide order dated 13.08.2025.

2. Brief facts of the prosecution case are that on 01.08.2025, H.C Eid Muhammad Bhanwar was on patrolling along with subordinate staff, when he received spy information about presence of gang of armed criminals near Mansoorabad diversion, deh Dablo. He along with police party went there, where encounter took place between them. Hence this F.I.R.

3. Learned counsel for applicant submits that applicant is innocent and he has been falsely implicated in this case; in fact this is case of in-effective firing and none from either party had received any injury; that after getting interim pre-arrest bail, he joined the investigation/trial and produced copy of diary dated 23.08.2025, which is taken on record; that no any incriminating material has been recovered from the possession of applicant and applicability of section 324 P.P.C is yet to be determined at the time of trial and case calls for further inquiry in terms of Section 497(2) Cr.P.C.

4. On the other hand, learned D.P.G opposed for grant of bail on the ground that applicant is nominated in the F.I.R, he has actively

participated in the police encounter, therefore, he is not entitled for grant of interim pre-arrest bail.

5. Heard learned counsel for applicant, learned D.P.G and perused the material available on record.

6. It is matter of record that police party consists of six police personnels and seven accused were shown at the scene of offence. Both the parties were armed with sophisticated weapons and they fired in order to commit their murder but surprisingly none from either side had received any scratch. All the P.Ws are police officials. Applicability of Section 324 P.P.C requires further inquiry in terms of section 492(2) Cr.P.C.

7. In view of above, sufficient grounds exist for confirmation of pre-arrest bail. Accordingly, instant bail application is allowed. Interim pre-arrest bail already granted to the applicant is hereby confirmed on the same terms and conditions.

8. Needless to mention that the observations made hereinabove are tentative in nature and shall not prejudice the case of either party at trial.

J U D G E

Abdul Salam/P.A