

**IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS**

Crl. Bail Application No.S-361 of 2025

Crl. Bail Application No.S-368 of 2025

DATE ORDER WITH SIGNATURE OF JUDGE

15.01.2026

Mr. Shahzad Aslam Shaikh, Advocate for the applicants.

Mr. Ghulam Abbas Dalwani, Deputy Prosecutor General Sindh

Mr. Nizamuddin Veeghio advocate for the complainant.

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ORDER

Muhammad Hasan (Akber), J-: Applicants Sher Khan s/o Haji Jan Muhammad, Ubaidullah Magsi s/o Sher Khan and Abdul Hayee s/o Ameer Bux seek pre-arrest bail through Criminal Bail Application No.S-361 of 2025 and applicants Shakeel Ahmed s/o Haji Jan Muhammad, Abdul Rehman s/o Abdul Razzaq, Sadiq Ali s/o Sher Khan, Muhammad Anwar s/o Ameer Bux, Asadullah Magsi s/o Sher Khan, Shahid Ali s/o Asadullah Magsi, Shamsuddin s/o Ameer Bux, Abdul Razzaq s/o Ameer Bux, Nisar Ahmed s/o Sher Khan, Shabbir Ahmed s/o Ubaidullah and Zahid s/o Asad seek post arrest bail through Criminal Bail Application No.S-368 of 2025 in F.I.R No.100 of 2025 for offence under Sections 324, 337-A(i), F(i), 147, 148, 149 and 504 P.P.C of P.S B-Section Tando Adam, after dismissal of their bail plea vide Orders dated 30.10.2025 and 19.11.2025 respectively.

2. The details and particulars of the F.I.R are already available in the bail application, as such; need not to reproduce the same hereunder.

3. Learned counsel for the applicants contends that applicants are innocent and they have been falsely implicated in this case due to malafide intention and ulterior motives; that the offences are compoundable and the parties have patched up outside the Court. Lastly he prayed for the confirmation/grant of bail on the ground of compromise arrived at between the parties.

4. Learned counsel for the complainant submits that compromise talks are going on between the parties; as such he has no objection for the confirmation/ grant of bail of the applicants.

5. Learned D.P.G, looking to the above position, has recorded his no objections.

6. Heard and perused.

7. All sections applied in the F.I.R, are compoundable except section 452 PPC. Admittedly, both the parties are closely related interse and it is settled law that when the parties are closely related to each other, express penal provisions of section 452 P.P.C shall not be attracted because both the parties shall have access to each other's' house without any interference. The parties have settled their dispute outside the Court and learned counsel for the complainant has recorded no objection for the confirmation/grant of bail to the applicants, therefore, in my humble view, bail in a compoundable offence on the ground of compromise is good ground for grant of bail in order to maintain peace, tranquility and harmony in the area and between the parties as held in cases reported in **2018 YLR 2501, 2019 MLD 125 and 2003 MLD 1665.**

8. In view of above, interim pre-arrest bail of applicants Sher Khan, Ubaidullah and Abdul Hayee is hereby confirmed on the same terms and conditions and the post arrest bail of applicants Shakeel Ahmed, Abdul Rehman, Sadiq Ali, Muhammad Anwar, Asadullah Magsi, Shahid Ali, Shamsuddin, Abdul Razzaq, Nisar Ahmed, Shabbir Ahmed and Zahid is granted and they are admitted on bail subject to furnishing a solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand each) only and P.R. Bond in the like amount to the satisfaction of the learned trial Court. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

The applications stands disposed of.

JUDGE

Faisal