

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS

Criminal Bail Application No. S-352 of 2025
Criminal Bail Application No. S-353 of 2025
Criminal Bail Application No. S-359 of 2025
Criminal Bail Application No. S-360 of 2025

DATE ORDER WITH SIGNATURE OF JUDGE

1. For order on office objection.
2. For hearing of main case.

27.01.2026

Mr. Anand Kumar advocate for the applicants in Crl. B.A No. S-352/ 2025 and in Crl. B.A No. S-359/ 2025 a/w applicants Muhammad Shoaib, Rahim Bux, Mst. Noor Jahan alias Rozina, Mst. Ameer Bano alias Amna and Mst. Tania alias Sania (on bail).

Mr. Altaf Hussain Junejo and Mr. Muhammad Qaim Pahore advocates for the applicants in Crl. B.A No. S-353/ 2025 a/w applicants Dr. Khursheed and Dr. Sumaira Khan (on bail).

Mr. Muhammad Hashim Laghari advocate for the applicants in Crl. B.A No. S-360/ 2025 a/w applicants Muhammad Aslam and Shagufta Yasmeen (on bail).

Mr. Suneel Kumar advocate for the complainant a/w complainant.

Mr. Neel Parkash, D.P.G.

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The applicants seek pre-arrest bail in F.I.R. No.264 of 2025 registered at P.S Tando Adam City for offence under sections 364-A, 120-B, 34 P.P.C after dismissal of their bail applications vide Order dated 19-11-2025 by the learned Additional Sessions Judge, Khipro.

Learned counsel for the respective applicants mainly contended that no offence for abduction is made out and section 364-A P.P.C is misapplied by the prosecution. Simultaneously, for the allegation of medical negligence, report was called from the Sindh Healthcare Commission but same has not been received. They further state that no conclusion could be drawn merely based on the ultrasound reports and question of any medical negligence does not arise in this matter and all the applicants are either medical Doctors or paramedical staff and respectable persons of the society, whose arrest will only humiliate them in the eyes of the public, whereas local police is bent upon to send them behind the bars for malafide reasons and ulterior motives; hence they prayed for conformation of bail to the applicants.

On the other hand, learned counsel for the complainant states that continuous ultrasound reports have shown that the victim/ patient was carrying two babies in her womb; but after delivery the applicants have delivered only one baby to the complainant party and second one was abducted.

Learned D.P.G says that since Sindh Healthcare Commission has sought time to ascertain the negligence of the applicants in this matter, therefore, time may be granted to them so that the fact could come out before this Court. However, as per contentions of all the learned counsel

and material available on Court record it is apparently clear that medical reports based on ultrasound are never adequate nor provides a definite result. In such complicated cases many other examinations take place before reaching at any diagnosis. The allegations seem to be solely placed on relying upon ultrasound reports, which could not be made basis for the commission of the offence. Even the prosecution story is to be believed then such a large number of people, who are medical Doctors and are also respectable members of the society as well as their paramedical staff are unlikely to be involved in the commission of the offence at one given time. The Sindh Healthcare Commission, though was given sufficient time to clarify a single medical negligence on the part of the applicants in the alleged offence; however they were unable to do so and they could not be entitled for any further time in this regard, as these are pre-arrest bail applications, wherein almost entire staff of a medical hospital has been implicated. Question of result of the ultrasound reports can be decided by the trial Court after recording evidence. Since interim challan has already been submitted; hence the case of the applicants, in such circumstances, become one of further inquiry and I do not find any reason in this case as to why so many large number of people should be sent behind bars for no apparent reason on their part, and malafide on

the part of the complainant is also evident in this case which is the main ingredients of section 498 Cr.P.C.

In the above circumstances, instant bail applications are allowed and ad-interim pre-arrest bail already granted to the applicants/ accused named namely Muhammad Shoaib s/o Israr Ahmed, Dr. Khursheed w/o Zafar Ali, Dr. Sumaira Khan w/o Imtiaz Ahmed, Rahim Bux s/o Imam Bux, Mst. Noor Jahan alias Rozina w/o Punhoon, Mast. Ameer Bano alias Amna w/o Zulfiqar Ali, Mst. Tania alias Sania d/o Shabbir Ahmed , Muhammad Aslam s/o Muhammad Soomar and Shagufta Yasmeen w/o Muhammad Aslam vide orders dated 21-11-2025 and 24-11-2025 respectively are hereby confirmed on the same terms and conditions.

JUDGE

“Saleem”

