

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS

Criminal Bail Application No. S-307 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For order on office objection.
2. For hearing of main case.

27.01.2026

Mr. Arz Muhammad Unnar advocate for the applicant a/w applicant (on bail).

Mr. Altaf Hussain Junejo advocate for the complainant a/w complainant.

Mr. Neel Parkash, D.P.G.

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The applicant seeks pre-arrest bail in F.I.R. No.257 of 2025 registered at P.S Shahdadpur for offence under sections 320,337-G,279,427,322,34,337-L(ii) P.P.C after dismissal of his bail application vide order dated 16-08-2025 by the learned Additional Sessions Judge, Shahdadpur.

Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case by the complainant. He further submits that it is a case of road accident, which requires evidence to connect the applicant with the commission of alleged offence; however, he seeks confirmation of ad-interim pre-arrest bail already granted to the applicant while submitting that if the bail of the applicant

is not confirmed, concerned police is bent upon to arrest the applicant for ulterior motives.

Learned counsel for the complainant and learned D.P.G state that in the alleged incident, two persons lost their lives while one person became injured and it was case of rash and negligent driving. It is also stated by learned D.P.G that sections 320 and 322 P.P.C are no more bailable and through the new amendment they are declared as non-bailable; however, he admitted that all sections applied do not fall under the prohibitory clause of section 497 Cr.P.C

I have heard learned counsel for all the parties and perused the record. Despite the fact that offence of such nature has been declared non-bailable now; however, each one of them carries nominal punishment and none of them falls under the prohibitory clause of section 497 Cr.P.C. The applicant is stated to be driving tractor, which could not be considered rash driving and could not fall within the ambit of rash driving, therefore, case of the applicant requires further inquiry. Moreso, trial has already been commenced and case is ripe up for evidence; hence present applicant is no more required for any further investigation.

In the above circumstances, instant bail application is allowed and ad-interim pre-arrest bail already granted to the applicant/ accused

Gulan Khan s/o Nawaz Khan vide order dated 04-11-2025 is hereby confirmed on the same terms and conditions.

JUDGE

“Saleem”

