

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Appln. No. S-1091 of 2025

Applicant/ Accused : Qabil s/o Muhammad Paryal Ansari
Through Mr. Ajeebullah Junejo,
Advocate

The State : Through Mr. Mansoor Ahmed Shaikh,
Deputy Prosecutor General, Sindh

Date of hearing : 09.02.2026

Date of order : 09.02.2026

O R D E R

KHALID HUSSAIN SHAHANI, J. – Applicant Qabil, seeks protection through pre-arrest bail in connection with Crime No.106 of 2025, registered at Police Station Sangi, District Sukkur, for offences under Sections 452, 504, 337-A(i), 114, 147 and 149, PPC. His earlier application met with dismissal by the learned Additional Sessions Judge, Pano Akil, vide order dated 31.10.2025.

2. Concisely stated, the prosecution narrative rests upon a dispute over immovable property, culminating in an alleged incident dated 02.10.2025, wherein the accused party purportedly entered the complainant's dwelling and inflicted injuries upon him. The FIR, however, was lodged on 20.10.2025, after a lapse of eighteen days, assigning to the present applicant a specific role of striking the complainant with an iron rod, resulting in a simple wound on his cheek declared as *Shajjah-e-Khafifah* under Section 337-A(i) PPC.

3. Learned counsel for the petitioner contended that (i) the delay of eighteen days renders the prosecution story doubtful; (ii) the animosity over landed property stands admitted in the FIR; (iii) co-accused Rano and four others have been admitted to pre-arrest bail; and (iv) the injury attributed to the petitioner is simple and bailable, attracting the rule of consistency. The

learned Deputy Prosecutor General, upon query, did not oppose confirmation of interim bail.

4. I have perused the material placed before me. The unexplained delay in setting the law into motion prima facie suggests deliberation and consultation, which diminishes the immediate spontaneity expected of a bona fide complainant. The admitted relationship and prior enmity between the parties further underscore the possibility of false attribution. The medical evidence classifying the hurt as simple (falling within the purview of Section 337-A(i) PPC, a bailable offence) also dilutes the gravity of the alleged role.

5. The pivotal co-accused, arrayed on parity of allegations, already enjoy pre-arrest bail. Thus, the rule of consistency, a cornerstone of equitable judicial discretion, must endure to the benefit of the petitioner as well. The question whether the constituent elements of Section 452 PPC are made out requires proof at the trial stage. The case stands challaned; no further investigation remains pending.

6. In the cumulative circumstances, the petitioner's case squarely falls within the ambit of further inquiry, as envisaged under Section 497(2), Cr.P.C. Consequently, the order of interim pre-arrest bail dated 13.11.2025 is hereby confirmed on the same terms and conditions.

7. The foregoing observations are tentative in nature and shall not be construed as an expression touching the merits of the case at trial.

J U D G E