

IN THE HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

CrI. Bail Application No.S-355 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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09.02.2026

Mr. Aziz Ahmed Laghari advocate for the applicant.

Mr. Ghulam Abbas Dalwani, Deputy Prosecutor General Sindh
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Miran Muhammad Shah, J: Through this Bail Application, the applicant Mehboob Ali s/o Muhammad Ismail seeks post arrest bail in Crime No.139/2025 for offence under sections 302, 311, 201, 34 P.P.C of P.S Khipro, after dismissal of his bail plea by the learned Additional Sessions Judge, Khipro, vide Order dated 11-11-2025.

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 applicant is innocent and he has been falsely implicated in this case due to malafide intention and ulterior motives; that the name of the applicant does not transpire in the F.I.R and he has been named on the basis of further statement of the complainant recorded on 12-06-2025; that there is no eye witness of the alleged incident; that there is no independent witness of the alleged incident and all the prosecution witnesses are police officials; that there is conflict in respect of injuries in memo of injuries and post mortem report; that the case of the applicant requires further inquiry. Lastly he prayed for the grant of bail to the applicant.

4. Learned D.P.G has vehemently opposed for the grant of bail to the applicant while arguing that applicant has been named by the complainant in his further statement; that alleged incident is of *Karo Kari* and the family members of the victim are accused in this case, hence FIR of this case was lodged by ASI on behalf of State; that sufficient material is available on record to connect the applicant with the alleged crime; that alleged offence falls under

the prohibitory clause of section 497 Cr.P.C. Lastly he prayed for dismissal of instant bail application.

5. Heard and perused.

6. This is a case of honour killing where the couple was murdered. The family of the girl has been shown in the F.I.R as the accused. In the case laws, such cases of honour killing (*Karo Kari*) are to be reported and F.I.Rs are to be lodged by the State if the victim's family does not come forward to do the same. This is also case where the State is complainant and ASI Abdul Raheem has lodged the FIR. In the initial report/ FIR only brothers and cousins of the victim girl have been nominated. However, the FIR itself mentions that two other unknown people were also involved in the murder case. In the final challan sheet those other two names have categorically mentioned, out of which one is disclosed as father of the victim. Nowhere on the record it is shown that the father's intention was not involved in committing of the murder nor he is resisted such action at any place. No proof of his non-involvement has been placed by his counsel. Contrarily his own sons have stated in their 161 Cr.P.C statements that father was also involved in this matter. Since this was the honour killing murder case the entire family of the victim is involved or their consent is involved in causing of the murder. Infact the presence of the applicant/accused is very much clear at the place of incident. The plea of the applicant/ accused that he is not nominated in the FIR is perhaps due to reason that the facts could not be brought before the State/ police to mention his name in the FIR; however, at the later stage he was nominated with the similar role as to other co-accused/ his own sons and family members. His involvement at this stage is affirmed. In the recent time, superior courts have taken place matters very seriously where honour killing cases are dealt with strictly. The honourable Supreme Court in its case law reported in 2024 SCMR 1584 has defined incidents of *Karo Kari* and how the technicalities makes the accused go escort free. When the State becomes the complainant and the family is hostile towards the victim and causes hindrance in the process of investigation such cases are not brought before the court of law due to lack of evidence. Resultantly, the accused are released on

bail on the pretext that the matters are of further inquiry. The learned DPG has also pointed out that the case law of this Court 2024 P Cr. L J 2001 wherein the following observations were made.

4. *Upon a tentative assessment, this appears to be a case of a classic honour killing. A woman and her alleged lover have both been murdered and none from either side is willing to register a case or cooperate with the police. On the contrary, they argue that the woman committed suicide. This is not the first case this court has come across where a similar modus operandi is adopted by the perpetrators. Death is not reported and then when foul play in the death is discovered, nobody from both sides is willing to be witness. As a consequence, due to legal technicalities, the perpetrators go scot-free on account of lack of evidence. The evil of honor killings therefore continues unabated. It is easy to criticize the police by saying that a proper investigation was not done, however, one can fully understand the frustration of the police when evidence is demolished by members of the deceased's own family, the police are not informed of the death and nobody is willing to record a statement.*

7. In the light of above case law and perusing the Court record, the case of the present applicant cannot be taken lightly and cannot be given advantage of regular grounds taken in the bail application. The honour killing being special case where the entire family members involve cannot be given advantage of any sort at this stage of bail.

8. These are the details reasons of my short order dated 09-02-2026 whereby instant bail application was dismissed. Needless to mention here that above observations are of tentative in nature and will not prejudice the case of either party at the time of trial.

JUDGE

