

THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.3021 of 2025

Applicant : Mst. Shazia wife of Ibrahim through Mr. Shah Imroze Khan, Advocate

The State : Through Mr. Zahoor Ahmed Shah, Additional Prosecutor General, Sindh

Complainant : Mst. Saira present in person

Date of hearing : 06.01.2026

Date of decision : 06.01.2026

ORDER

Muhammad Osman Ali Hadi, J.- By means of this Criminal Bail Application, Applicant—Mst. Shazia wife of Ibrahim, seeks post-arrest bail in case, emanating from Crime No.732 of 2023, registered at Police Station Peerabad, for offence punishable under Section 324, 302, 34 PPC, after her such bail plea has been declined by the learned Additional Sessions Judge-Xth Karachi by dismissing her bail application *vide* Order dated 25.10.2025.

2. Learned Counsel for the Applicant submits that the Applicant/Accused has only been stated to be present at the premises where the alleged crime was committed and that no direct role has been attributed to her. He further submits that direct role has been alleged against her son, namely, Abu Bakar, who is behind the bars, and his Bail Application was dismissed by this Hon'ble Court in a separate proceeding. Learned Counsel for the Applicant further submits that the Complainant, namely, Mst. Saira wife of Sher Afzal, is present in Court and has submitted her 'No Objection' to grant of bail to the current Applicant/ Accused, who is her true sister. Learned Counsel states that at this stage, the role, if any, of the Applicant/Accused is yet to be determined and admittedly there is no ocular evidence linking the Applicant/ Accused to actual involvement with the crime, apart from being present at the subject premises.

3. Learned Additional Prosecutor General, Sindh submits that the Applicant/ Accused was admittedly present at the scene of the crime; therefore, under common logic, she would have a role in commission of offence, which was stated to be committed by her son. He further submits

that to the 'No Objection' offered by Mst. Saira wife of Sher Afzal, is of no relevance at the moment, as the same cannot be considered in a legal terms. He further submits that should the Complainant wish to forgive the Applicant/ Accused, a proper due legal process must be followed in the first instance, which has not been done.

4. I have heard learned Counsel for the Parties and perused the file along with their able assistance. Admittedly, there is no direct involvement alleged on behalf of the Applicant/ Accused, whose guilt is yet to be determined by the Trial Court. The Trial is still at a very initial stage, and has not significantly advanced, but the Applicant/ Accused has already been in custody for around three (3) months.

5. In the light of aforementioned, at this current juncture, it appears that the allegations of guilt to be established against the Applicant/ Accused's involvement in the subject crime would require further investigation/ inquiry; as well as the Applicant / Accused having not been stated to hold any past criminal behavior.¹ Accordingly, the instant Criminal Bail Application is **allowed** and Applicant Mst. Shazia wife of Ibrahim, is admitted to post-arrest Bail in Crime No.732 of 2023, registered at Police Station Peerabad, for offences punishable under Section 324, 302, 34 PPC, subject to furnishing two solvent sureties in the sum of **Rs.100,000/- [Rupees One Hundred Thousand Only]** and Personal Bond in the like amount, to the satisfaction of the learned Trial Court.

6. The observations hereinabove are tentative in nature and confined to the decision of this Bail Application only. The Trial Court shall not be influenced thereby and shall adjudicate the matter strictly on the evidence led before it. The instant Criminal Bail Application stands **allowed** in the above terms.

JUDGE

Qurban

¹ *Noor Agha v The State* 2025 SCMR 1679; *Zulqarnain Haider v The State* 2025 SCMR 1457