

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, KARACHI**  
Criminal Bail Application No. 396 / 2026

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Date	Order with signature of Judge
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For hearing of bail application.

**22.04.2026.**

M/s. Liaquat Ali Jamari & Irfan Gul, Advocates  
for Applicant.  
Mr. Muhammad Mohsin Malik, APG.

Through this Criminal Bail Application, the Applicant seeks pre-arrest bail in FIR No. 203/2025, P.S. Sujawal, under Section 324, 353 and 34 PPC. His bail application was dismissed by the trial Court on 20.01.2026.

Brief facts of the case are that SIP Zahid Hussain Panhwar was on patrolling along with subordinate staff and during patrolling when they arrived at Patan Naka Sujawal, they received spy information that one Irshad Machhi, Fazal Jamari and Irshad @ Ashu Jamari are standing at Sujawal Bathoro road Ghotaro Mori with narcotics Heroin and Ice for giving it to someone. On such information, they reached at the pointed place where they saw that three persons were standing with pistols and black shoppers in their hands. They identified them as Irshad son of Ali Mohammad Machhi, Fazal son of Moosa Jamari and Irshad @ Ashu son of Qazi Jamari. Upon seeing police party, the accused made straight fires and police also fired in their defense and one accused sustained injury from the hands of his companions whereas, two accused ran into forest taking advantage of dark. Police arrested the injured and recovered one unlicensed 32 bore pistol along with one live bullet from his possession. Police also checked the black shopper left by the accused, which contained 116 grams Ice and 22 grams of Heroin in the shopper of Irshad @ Ashu Jamari under mushirnama.

I have heard the learned counsel for the applicant as well as the APG and have perused the record. The FIR shows that the present applicant/accused along with co-accused was arrested in a narcotics case for which a separate FIR was lodged. However, the present applicant along with co-accused, allegedly attempted to flee from the crime scene, resulting in the alleged police encounter. The FIR clearly indicates that the essential ingredients of Section 324 are missing from the alleged complaint. In fact, it appears to be a case of ineffective firing as no police official sustained any injury; rather one of the co-accused was injured. Apart from Section 324, the other two sections applied do not fall within the prohibitory clause. As per the record, the present applicant/accused has already been granted bail by the Division Bench of this Court in the narcotics case, which was in fact, the main case. This case, it appears, has been lodged malafidely only for the purpose of keeping the present applicant/accused behind the bars for ulterior motives and harassment. In these circumstances, the interim pre-arrest bail granted by this Court vide order dated 06.02.2026 is hereby confirmed on the same terms and conditions.

**JUDGE**

Arshad/