

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. BA No. 1081 of 2026

Applicants : 1. Mureed Hussain S/o. Anwar Hussain
2. Shoukat Ali S/o. Mureed Khan
Through Mr. Faiz Hussain, Advocate

Respondent : The State
Through Mr. Sharafuddin Kanhar, A.P.G

Complainant : Nadir Ali son of Allah Wasaya,
Through Mr. Muhammad Iqbal Tunio,
Advocate

Date of hearing : 14.05.2026.

Date of order : 14.05.2026.

ORDER

Jan Ali Junejo, J.— Applicants Mureed Hussain son of Anwar Hussain and Shoukat Ali son of Mureed Khan seek post-arrest bail in a case bearing Crime No. 320/2026, for offence under section 397/392/34 PPC of P.S Steel Town. Karachi. Prior to this, the applicant had sought the same relief before the learned Additional Sessions Judge-VI, Malir at Karachi, which was declined vide order dated 25.03.2026.

2. The facts relevant to the present criminal bail application are as follows:

“The complainant stated that he is a labourer residing at the address mentioned in column No.2 along with his family. On 17.03.2026, while he was travelling in a rickshaw from Quaidabad along with three other persons including the driver, at about 1:30 p.m. near Steel Mill, Battle Highway, the rickshaw was stopped, whereupon one accused placed a knife on his neck and threatened him to hand over his belongings. Thereafter, all accused persons forcibly took him out of the rickshaw, and the driver snatched Rs.2,100/- from his pocket. Meanwhile, a police mobile reached the spot and, with the assistance of ASI Asadullah Gopang, apprehended all four accused persons at the scene. The accused were identified as (1) Mureed Hussain, (2) Muhammad Usman, (3) Ghulam Qadir, and (4) Shoukat Ali. One knife was recovered from accused Mureed Hussain, while Rs.2,100/- was recovered from accused Shoukat Ali during personal search. Two mobile phones were also recovered and sealed on the spot. The accused persons failed to produce ownership documents of the rickshaw. The complainant’s statement was recorded at the spot by ASI Asadullah Gopang, duly signed by the complainant and PC Taj Muhammad No.436, and thereafter the accused persons along with the recovered case property were taken to the police station for legal action. He requests that legal action be taken”.

3. Per learned counsel for the applicants, applicants/accused are innocent and has been falsely implicated in the present case; the actual facts of the case are that the complainant of the instant case is puppet of the police and they used to book the innocent people under his compliancy, further no such type of offence even took place; nothing has been recovered from the possession of the applicants/accused, the alleged recovery as mentioned has been foisted upon them; there is no direct or indirect evidence on the record the against the applicants/accused, which connect them with the alleged offence, except the itself engineered and self-made statement of the complainant; the offence in which the applicants have been charge does not fall within the prohibitory clause and urged that the applicants be extended the concession of bail.

4. The A. P. G. Sindh assisted by learned counsel for the complainant, while not opposing the grant of bail, recorded their no objection to the instant application in view of the affidavit filed by the complainant, same is taken on record, wherein he has expressly raised no objection to the applicants being admitted to bail.

5. Notably, the complainant has since submitted a sworn affidavit in which he has raised no objection to the grant of bail to the applicants. This has resulted in two conflicting versions, one set forth in the FIR and the other contained in the complainant's affidavit. Such divergence creates a situation where the veracity of the complainant's statements and his credibility can only be determined at the time of trial, after the recording of evidence.

6. In light of the above circumstances and keeping in view the principles laid down under Section 497(2) Cr.P.C., the applicants have succeeded in making out a case of further inquiry. Accordingly, the applicants are admitted to post-arrest bail upon furnishing solvent surety in the sum of Rs.1,00,000/- (Rupees One Lac only) each and a PR Bond in the like amount to the satisfaction of the learned trial court.

7. Before parting, it is observed that the findings recorded hereinabove are purely tentative in nature and shall not prejudice the case of either party during the course of trial. The trial Court shall evaluate the

evidence independently and uninfluenced by any observation made in this order.

8. The applicants are directed to ensure regular attendance before the trial Court and shall not, in any manner, attempt to influence or interfere with the prosecution witnesses. Any violation of these conditions may entail cancellation of bail in accordance with law.

J U D G E