

IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.707 of 2026

Applicant : Muhammad Saqib son of Muhammad Sadiq
Through Mr. Kher Muhammad, Advocate

Complainant/injured : Muhammad Waseem
Through Mr. Aijaz Muhammad Bangush,
Advocate

Respondent : The State
Through Ms. Robina Qadir DPG
along with complainant

Date of hearing : 20.04.2026
Date of order : 20.04.2026

ORDER

MIRAN MUHAMMAD SHAH, J:- Through captioned criminal bail application, applicant Muhammad Saqib son of Muhammad Sadiq seeks pre-arrest bail in Crime No.269 of 2025, registered at P.S Malir city Karachi, for the offence punishable under Sections 324 and 34, PPC. Prior to this the applicant had approached to the court of learned Additional Sessions Judge-VIII, Malir Karachi, for the same relief where he was granted interim pre-arrest bail but later on recalled vide order dated.03.03.2026. He was granted interim pre-arrest bail by this court on 04.03.2026, which is now fixed for confirmation or otherwise.

2. The facts of the case are need not to be reproduce herein, as the copy of FIR is attached with the bail application and the facts are also stated in detail therein.

3. Heard and record perused.

4. The record reflects that the FIR was lodged by the present applicant/accused on 30.04.2026 against unknown accused persons. Subsequently, the injured witness, namely Waseem who is cousin of the

applicant/accused, and was shifted to the hospital by the applicant/accused himself, recorded his statement under Section 161 Cr.P.C. after a delay of approximately three days. In the said statement, he expressed suspicion regarding the involvement of the present applicant with the unknown accused persons. It is pertinent to note that no plausible explanation has been furnished by the injured witness as to the source of such information or the basis of his suspicion. At this stage, such a delayed statement, unsupported by independent corroboration, carries limited evidentiary value, particularly for the purposes of bail. It is a settled principle of law that questions relating to the veracity and evidentiary worth of such statements are matters to be determined after full-fledged trial. Furthermore, the record indicates that the applicant was initially granted pre-arrest bail by the learned trial court, which was subsequently recalled due to his non-appearance. However, the order itself reveals that an application for condonation of absence was moved on his behalf through counsel. It is also evident from the record that after obtaining interim pre-arrest bail, the applicant joined the investigation and has been attending the trial proceedings regularly. It is well-established that pre-arrest bail, though an extraordinary relief, may be granted in appropriate cases to safeguard an individual from mala fide arrest or abuse of the process of law. In the present case, the circumstances discussed above, particularly the doubtful nature of the allegation bring the matter within the ambit of further inquiry. In view of the above, the applicant has succeeded in making out a case for confirmation of pre-arrest bail. Consequently, the interim pre-arrest bail already granted to the applicant vide order dated 04.03.2026 is hereby confirmed, subject to the same terms and conditions.

5. Needless to mention here that the observation made herein above are tentative in nature and would not influence the trial court while deciding

the case of the applicant on merits. However, in case the applicant misuses the concession of bail in any manner, the trial court shall be at liberty to cancel the same after giving him notice, in accordance with the law.

Criminal bail application stands disposed of.

JUDGE

Suleman Khan/PA

