

**IN THE HIGH COURT OF SINDH KARACHI**  
**Cr. Bail Application No.3016 of 2025**

Applicant : Sher Afzal son of Raja Khan  
Through Mr. Altaf Hussain, Advocate

Respondent : The State  
Through Mr. Zahoor Ahmed Shah, APG  
along with complainant

Date of hearing : 13.04.2026  
Date of order : 13.04.2026

**ORDER**

**MIRAN MUHAMMAD SHAH, J:-** Through captioned criminal bail application, applicant Sher Afzal son of Raja Khan, seeks pre-arrest bail in Crime No.1196 of 2021, registered at P.S Manghopir, Karachi, for the offence punishable under Sections 324 and 345, PPC. Prior to this the applicant had approached to the court of learned Additional Sessions Judge-I, Karaci West, for the same relief but it was declined vide order dated.16.07.2025. He was granted interim pre-arrest bail by this court on 03.11.2025, 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 offence under Section 345 PPC is punishable with imprisonment for two years and isailable in nature, whereas the applicability of Section 324 PPC is a matter to be determined at trial, particularly when the alleged injury is on a non-vital part of the body of the injured. The parties are admittedly inimical, which fact has also been acknowledged by the complainant in the FIR. Moreover, while enmity

between the parties may provide a motive for the commission of an offence, it equally creates the possibility of false implication. It is further noted that the main co-accused have already been acquitted by the trial Court under Section 345(6) Cr.P.C. vide order dated 18.11.2023. Thus, the case calls for further inquiry, entitling the applicant to the concession of bail. As regards the contention of the learned Prosecutor that the applicant remained absconding, it is settled law that pre-arrest bail, though an extraordinary relief, may be granted in appropriate cases to protect an accused from mala fide arrest or abuse of the process of law. Mere absconsion, by itself, is not sufficient to deny such relief, particularly where circumstances indicate ulterior motives on the part of the complainant. The record further shows that, after obtaining interim pre-arrest bail, the applicant has joined the investigation as well as attending the trial proceedings. There is nothing on record to suggest that he has misused the concession of interim pre-arrest bail. In these circumstances, the applicant has made out a case for confirmation of pre-arrest bail. Consequently, the interim pre-arrest bail already granted to the applicant vide order dated 03.11.2025 is hereby confirmed on 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**

