

**IN THE HIGH COURT OF SINDH KARACHI**  
**Cr. Bail Application No.3567 of 2025**

Applicant : Farman Ali son of Muhammad Ali  
Through Mr. Barkat Ali Metlo, Advocate

Respondent : The State  
Through Mr. Sharafuddin Kanhar, APG

Date of hearing : 28.04.2026  
Date of order : 28.04.2026

**ORDER**

**MIRAN MUHAMMAD SHAH, J:-** Through this bail application, applicant Farman Ali son of Muhammad Ali, seeks pre-arrest bail in Crime No.989/2023, registered at P.S SSHI Karachi, for the offence punishable under Sections 324 and 34, PPC. Prior to this, the applicant had approached the court of learned Additional Sessions Judge-VIII, Malir, for the same relief but it was declined vide order dated.04.01.2024. He was granted interim pre-arrest bail by this court on 26.12.2025, 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. I have heard learned counsel for the applicant as well as learned APG and perused the record.

4. In the present case, it is an admitted position that the injury sustained by the complainant is on a non-vital part of the body. Prima facie, the ingredients of Section 324, P.P.C. appear to be doubtful, and their applicability can only be determined at the trial after recording of evidence, particularly in view of the nature of the injury alleged. It is further noted that the parties are inimical, which fact has also been acknowledged by the complainant in the FIR. While enmity may provide a motive for the commission of an offence, it equally creates a possibility of false implication.

Moreover, there is an unexplained delay of about four months in the registration of the FIR, which also casts doubt on the prosecution story. In view of the above circumstances, the case requires further inquiry within the ambit of Section 497 Cr.P.C., thus entitling the applicant to the concession of bail. As regards the contention of the learned Prosecutor that the applicant had earlier misused the concession of pre-arrest bail, which resulted in recalling of interim pre-arrest bail granted to him, it is observed that perusal of the record shows that the applicant was granted interim pre-arrest bail in Cr.B.A. No. 1054/2025 and he had been regularly attending the Court proceedings. However, he remained absent only on one date i.e. 30.10.2025, due to which his bail application was dismissed in non-prosecution and interim bail was recalled. In the present application, the applicant has explained that his absence was due to illness. In these circumstances, mere non-appearance on a single date, particularly when sufficiently explained, cannot be a ground to deny bail, especially when the surrounding facts suggest possible ulterior motives on the part of the complainant. Accordingly, the interim pre-arrest bail already granted to the applicant vide order dated 26.12.2025 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**

