

# HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail. Application No.S-186 of 2026  
[Abdul Razzaque vs. The State]

Applicant by: Mr. Kaura Khan Memon advocate  
Complainant by: Mr. Nasrullah Khaskheli advocate  
State by: Mr. Altaf Hussain Khokhar D.P.G  
Date of hearing 15.06.2026  
Date of Order 15.06.2026

## **ORDER**

**TASNEEM SULTANA, J:** Through this Bail Application, the applicant Abdul Razzaque seeks pre-arrest bail in Crime No.01 of 2026 registered at Police Station Rukkan under Sections 452, 337-F(vi), 337-L(ii), 440, 147, 149 and 504 PPC. His earlier bail application for the same relief being CrI. Bail Application No.37 of 2026 has been declined by the trial Court vide Order dated 10.01.2026.

2. The facts of the FIR find sufficient mention in memo of bail application, therefore, in view of the case law reported in PLD 2014 SC 458, there is no need to reproduce the same for the sake of brevity and in order to avoid repetition. However, the allegation against the present applicant is that he caused lathi blow to complainant, while the remaining accused persons also resorted to cause injuries to complainant party. Consequently, the present FIR came to be registered.

3. Learned counsel for the applicants contends that the applicant is innocent and has been falsely implicated with mala fide intent; that all the story is false and concocted one; that there is an unexplained delay of about three months in registration of FIR; that prior enmity between the parties is admitted in FIR as such false implication cannot be ruled out; that co-accused Aijaz has already been granted bail by the trial Court vide Order dated 10.01.2026, therefore, the applicant is also entitled for same relief on the rule of consistency.

4. Contrary learned Deputy Prosecutor General, duly assisted by learned counsel for the complainant, opposes the bail application and argues that applicant is nominated in FIR with specific role of causing injury to complainant that has been declared as 337-F(vi), which carries punishment upto seven years; that delay occurred as police was not

inclined to lodge FIR, which compelled the complainant to approach Ex-Officio Justice of Peace; that case of co-accused is on different footings as such not helpful for present applicant-accused.

5. Record reflects that alleged incident took place on 20.10.2025, whereas the FIR was lodged on 01.01.2026. Although complainant stated that police was not inclined to register her FIR, which compelled her to approach learned Justice of Peace hence delay occurred, however, perusal of memo of application filed by the complainant under Section 22-A and B Cr.P.C reveals that the same was even filed on 12.11.2025 i.e after about 22 days of occurrence of incident and no plausible explanation has been furnished by the complainant for delay of such 22 days.

6. The present applicant has been attributed injury of 337-F(vi) which carries punishment upto seven years, however, there is no allegation that applicant/accused repeated the injury, coupled with the fact that the enmity between the parties over matrimonial affairs is admitted in FIR. The Hon'ble Apex Court has been pleased to extend the concession of bail in similar circumstances. Reliance is placed on the case of *Faheem Ullah vs. The State* (2024 SCMR 43). So, at this stage, when the existence of prior enmity between the parties stood admitted, the possibility of false implication cannot be ruled out. Furthermore, co-accused Aijaz has already been granted bail by the trial Court vide Order dated 10.01.2026.

7. In light of the principles enunciated by the Hon'ble Supreme Court in *Sheikh Abdul Raheem v. The State* (2021 SCMR 822) and *Riaz Jafar Natiq v. Muhammad Nadeem Dar and others* (2011 SCMR 1708), no exceptional or extraordinary circumstances have been pointed out which would warrant denial of bail. Accordingly, the present application is allowed and the interim pre-arrest bail already granted to the applicant vide order dated 10.02.2026 is hereby confirmed on the same terms and conditions.

8. It is, however, clarified that the observations made herein are tentative in nature and shall not prejudice the trial Court in deciding the case on merits.

JUDGE