

THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.1468 of 2026

Applicant : Zeeshan son of Ashraf Khaskheli through Mr. Aijaz Ali Khaskheli Advocate

Complainant : Muhammad Iqbal son of Muhammad Soomar Jokhio through Mr. Zubair Ali Butt, Advocate

The State : Through Mr. Muhammad Mohsin Mangi, Asstt: Prosecutor General, Sindh

Date of hearing : 17.06.2026

Date of decision : 17.06.2026

ORDER

Jan Ali Junejo, J.- This Order shall decide the post-arrest Criminal Bail Application filed by Applicant-Zeeshan son of Ashraf Khaskheli under Section 497, Cr.P.C., arising out of FIR No.19 of 2026, registered at Police Station Gharo, District Thatta, for offence punishable under Section 392, 397 PPC. The Applicant seeks bail after arrest, being aggrieved by the Order dated 26.02.2026, passed by IInd Additional Sessions Judge, Thatta, whereby, his earlier bail plea (Bail Application No.186 of 2026) was declined.

2. The brief facts of the prosecution case, as disclosed in the FIR, are that on 04.02.2026, Complainant, namely Muhammad Iqbal son of Muhammad Soomar, appeared at Police Station Gharo and lodged a report stating that he resides at the address mentioned in the FIR and is engaged in the business of buying and selling cattle. He alleged that on 02.02.2026, he, along with his brother Rajab Ali son of Muhammad Soomar, was travelling from Makli to Gharo on a CD-70 motorcycle, black in colour, bearing Registration No. KQY-4280 (Model 2024), Engine No. P-143166, and Chassis No. JF-25470. At about 8:30 p.m., when they reached near Mando Hotel, Gharo, three persons riding a Chinese motorcycle intercepted them and signaled them to stop. The said persons alighted from their motorcycle, took out pistols concealed in the folds of

their shalwars, and, while pointing the weapons at the Complainant and his brother, forcibly snatched the aforesaid motorcycle. Thereafter, two of the accused persons fled on their own motorcycle, while the third escaped on the Complainant's motorcycle towards Gharo City. The Complainant made efforts to trace the stolen motorcycle and subsequently came to know that the alleged offenders were Shahzad son of Niaz Chandio, Zeeshan son of Ashraf Khaskheli and Asad son of Gul Abbas. Thereafter, the Complainant approached Police Station Gharo and lodged the FIR against the aforesaid accused persons, in the above terms.

3. Heard and perused the record.

4. Per learned Counsel for the Applicant, the Applicant is innocent and has been falsely implicated in the present case. He contends that the FIR has been lodged with an unexplained delay of two days and nothing has been recovered from the possession of the Applicant and the alleged recovery as mentioned has been foisted upon him. He next argues that there is no direct or indirect evidence on the record against the Applicant, which connects him with the alleged offence, except itself engineered and self-made statement of the Complainant. He further argues that the offence with which the Applicant has been charged does not fall within the prohibitory clause of sub-section (1) of Section 497 Cr.P.C., and prays that the Applicant may be extended the concession of bail.

4. Learned Assistant Prosecutor General, Sindh assisted by Complainant's Counsel 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 Applicant 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 Applicant. 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 Applicant has succeeded in making out a case of further inquiry. Accordingly, the Applicant is admitted to post-arrest bail upon furnishing solvent surety in

the sum of **Rs.50,000/- [Rupees Fifty Thousand Only]** 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 Applicant is 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.

JUDGE

Qurban