

**HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS**

**Criminal Bail Application No.S-200 of 2026**

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**Applicants:** 1. Ameen Muhammad s/o Aqlo Hingorjo.  
2. Muhammad Bux s/o Aqlo Hingorjo.  
3. Muhammad Shafique s/o Taj Muhammad Hingorjo.  
4. Abu Bakar s/o Janab Hingorjo.  
5 .Muhammad Qasim s/o Faiz Muhammad Hingorjo.  
Through Mr. Mushtaque Ali Tagar, Advocate.

**Complainant:** Qasim s/o Ali Muhammad Hingorjo (Called absent)  
Through Mr. Ali Asghar Hingorjo, Advocate.  
(Called absent).

**Respondent:** The State  
Through Mr. Ghulam Abbas Dalwani, D.P.G.

**Date of Hearing:** 06.07.2026  
**Date of Order:** 06.07.2026

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**ORDER**

**Khalid Hussain Shahani, J.:-** The instant application has been preferred by the applicants, namely, Ameen Muhammad, Muhammad Bux, Muhammad Shafique, Abu Bakar and Muhammad Qasim, seeking the extraordinary relief of pre-arrest bail in connection with Crime No. 83 of 2026, registered at Police Station Khipro, for offences punishable under Sections 381-A and 34, P.P.C., subsequent to the refusal of similar relief by the learned Additional Sessions Judge-I, Khipro, vide order dated 24.04.2026.

2. The prosecution case, in brief, as set forth in the F.I.R., is that the complainant, Muhammad Qaim, alleged that he had installed a summer pump in his agricultural land situated near the otaq. On the night of 30.03.2026, at about 11:30 p.m., while he and his son were asleep, their attention was drawn by the barking of dogs. Upon proceeding towards the site with a torch, they allegedly observed accused Ameen Muhammad and Muhammad Bux removing two solar

plates (585 watts) valued at Rs. 50,000/-; accused Muhammad Shafique removing a summer pump valued at Rs. 70,000/-; accused Abu Bakar removing a controller valued at Rs. 40,000/-; and accused Muhammad Qasim removing solar cables valued at Rs. 20,000/-. It is alleged that upon raising cries of "thief, thief," the accused persons succeeded in escaping with the aforesaid articles. Thereafter, the complainant approached the elders of the accused for redress, which proved futile, culminating in the registration of the present F.I.R.

3. Learned counsel for the applicants contended that the applicants have been falsely implicated with mala fide intent; that the F.I.R. is afflicted with inordinate and unexplained delay; and that a civil dispute, being Civil Suit No. 68 of 2024, instituted by Janib Khan (father of applicant Abu Bakar) for declaration, possession, and permanent injunction, is pending inter se the parties before the learned Senior Civil Judge, Khipro, thereby lending credence to the plea of false implication. It was further submitted that the applicants have since joined the investigation, their statements under Section 161, Cr.P.C. have been recorded, and the challan has been submitted before the competent Court. Lastly, it was argued that the case does not fall within the prohibitory clause of Section 497, Cr.P.C.

4. Despite service, neither the complainant nor his learned counsel appeared to contest the instant application.

5. Conversely, the learned Deputy Prosecutor General opposed the grant of bail; however, he fairly conceded that the applicants have joined the investigation.

6. I have heard the learned counsel for the applicants as well as the learned Deputy Prosecutor General and have carefully examined the record. It is an admitted position that Civil Suit No. 68 of 2024, pertaining to declaration, possession, and permanent injunction, is pending between the parties before a competent civil forum, which prima facie suggests the existence of underlying civil litigation, thereby rendering the possibility of false implication not entirely implausible. The earlier refusal of bail by the learned trial Court was predicated upon the applicants' failure to join the investigation; however, the said deficiency stands rectified, as conceded by the learned Deputy

Prosecutor General, inasmuch as the applicants have since joined the investigation, their statements under Section 161, Cr.P.C. have been recorded, and the final report has been submitted. Furthermore, the alleged offences do not attract the prohibitory clause of Section 497, Cr.P.C.

7. In the totality of circumstances, the applicants have succeeded in making out a case for the confirmation of pre-arrest bail. Accordingly, the instant application is allowed, and the interim pre-arrest bail granted to the applicants vide order dated 28.04.2026 is hereby confirmed, subject to the same terms and conditions.

8. It is clarified that the observations made herein are tentative in nature and shall not prejudice the case of either party during the course of trial.

The application stands disposed of accordingly.

JUDGE

\*Adnan Ashraf Nizamani\*