

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Cr. Bail Application No.S-155 of 2026

Applicant: Parkash s/o Valji,
Through Mr. Ali Hassan Chandio, advocate.

Respondent: The state through Mr. Neel Parkash,
learned D.P.G.

Date of Hearing: 07.07.2026

Date of Order: 07.07.2026

ORDER

Khalid Hussain Shahani, J: By means of the instant application, the applicant, Parkash s/o Valji, seeks the extraordinary relief of pre-arrest bail in Crime No.10/2026, registered under Sections 337-F(vi), 506 and 34, P.P.C, at Police Station Khan, consequent upon the dismissal of his bail plea by the learned Additional Sessions Judge-II, Mirpurkhas, vide order dated 17.03.2026.

2. The prosecution's version, as reflected in the F.I.R., is that on 15.01.2026, at about 1330 hours, the complainant Jeewan, upon being summoned by the applicant from his residence, was confronted by Valji armed with a lathi, Mukesh with a hatchet, and Ramesh with a lathi. It is alleged that at the instigation of Valji, the applicant inflicted hatchet blows upon the complainant's right knee with the intent to commit his murder, while the remaining co-accused administered lathi blows. The commotion is said to have drawn the complainant's family members, whereupon the accused persons, hurling abuses, made good their escape. The instant case was registered on the strength of the aforesaid allegations.

3. Learned counsel appearing for the applicant submitted that the applicant is wholly innocent and stands falsely implicated on

account of mala fide intent and ulterior motive, rooted in a pre-existing family dispute between the contending parties. It was further submitted that the complainant's injuries were, in fact, sustained in consequence of a fall from a motorcycle, and the present narrative has been contrived thereafter. Learned counsel drew attention to the unexplained delay of one month between the occurrence dated 15.01.2026 and the lodging of the F.I.R on 16.02.2026, for which no plausible justification has been proffered by the complainant. It was additionally urged that the co-accused, namely Valji, Mukesh and Ramesh, have already been extended the concession of pre-arrest bail by the learned trial Court, thereby attracting the rule of consistency in favor of the present applicant. On these premises, the grant of bail was prayed for.

4. Conversely, learned D.P.G for the State resisted the application, contending that sufficient incriminating material exists on record connecting the applicant with the commission of the alleged offence.

5. I have given due consideration to the submissions advanced by learned counsel for the applicant and learned D.P.G. for the State, and have examined the record with care. While a specific role is attributed to the applicant in causing injury to the complainant, the medical certificate reveals that Injury No. 1 has been classified as *Ghayr Jaifah Munaqilah*, while Injuries Nos.2 and 3, alongwith the remaining injuries, are attributed to a blunt weapon, rendering the ocular version at variance with the medical evidence. The evidentiary weight and sanctity of the medical certificate shall, of course, remain a matter for determination at trial. It further merits notice that the offence alleged does not carry punishment exceeding six years'

imprisonment, and thus the case falls outside the prohibitory clause contemplated under Section 497(1), Cr.P.C, where the grant of bail constitutes the rule and refusal the exception. It is also observed that the present prosecution implicates the entire family of the complainant's adversaries.

6. It is further noted that the co-accused, Valji, Mukesh and Ramesh, have already been granted pre-arrest bail by the learned Additional Sessions Judge-II, Mirpurkhas, vide order dated 17.03.2026. Applying the settled rule of consistency, the applicant is equally entitled to the like concession. It is also observed that the investigation has since culminated in the submission of the report under Section 173, Cr.P.C., and the applicant's presence is no longer required for the purposes of further investigation.

7. In light of the foregoing discussion, the instant bail application is allowed, and the interim pre-arrest bail granted to the applicant vide order dated 08.04.2026 is hereby confirmed, subject to the same terms and conditions.

8. It is clarified that the observations recorded hereinabove are tentative in nature and shall not be construed as an expression of opinion on the merits of the case, nor shall they prejudice either party at trial.

9. The instant Criminal Bail Application stands disposed of in the above terms.

JUDGE

“Chander Kumar”