

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Cr. Bail Application No. S-401 of 2026

Applicant: Anwar S/o Bachal Chandio through
Mr. Francis Lucas, advocate.

Complainant: Rabnawaz s/o Ali Nawaz in person.

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

Date of Hearing: 31.07.2026

Date of Order: 31.07.2026

O R D E R

Khalid Hussain Shahani, J: - Applicant Anwar seeks post-arrest bail in Crime No. 116/2025, registered under Sections 397/34, P.P.C., at Police Station Tando Jan Muhammad, his identical prayer having earlier been declined by the learned Additional Sessions Judge-II, Mirpurkhas, vide order dated 02.07.2026.

2. As narrated in the FIR, the complainant, a Sales Manager with Canup Pak Agricultural Department, came across a Facebook advertisement offering a silver-colored Toyota Aqua (Model 2019) for sale. Having contacted the seller and settled a consideration of Rs. 2,500,000/-, he remitted Rs. 350,000/- on 29.04.2025 from his maternal uncle Shamsuddin's MCB account to one Kistori's account, followed by transfers of Rs. 220,000/- on 21.05.2025 and Rs. 50,000/- on 27.05.2025 to the account of Aijaz Ali. On 29.05.2025, the complainant, accompanied by Imdad Ali and Shamsuddin, travelled in his vehicle to Village Bachal Chandio to complete the transaction by paying the balance of Rs. 1,950,000/- in cash. It is alleged that upon arrival at the Otaq/inn of Anwar Chandio, the complainant and his companions were confronted by Ali Gohar, the applicant Anwar,

and an unidentified third person, all allegedly armed with pistols, who, by putting the complainant in fear of his life, dispossessed him of his vehicle, its documents, and the cash, before fleeing via a kutchra track. The FIR followed after the complainant's return to his village and subsequent consultation.

3. On notice, the complainant appeared in person and reposed confidence in the learned D.P.G. to represent his interest in the proceedings.

4. Learned counsel for the applicant contended that his client is a victim of false implication engineered through police enmity, pointing tellingly to the unexplained two-month delay between the alleged occurrence on 29.05.2025 and the lodging of the FIR on 27.07.2025. He further submitted that this is not an isolated instance, but part of a pattern of engineered FIRs lodged against the applicant's family by the police through stage-managed complainants. With investigation concluded and the report under Section 173, Cr.P.C. already submitted, he urged that the applicant's continued detention serves no investigative purpose and prayed for the grant of bail.

5. Learned D.P.G., opposing the application, invoked the applicant's alleged history of habitual criminality.

6. Having heard both sides and examined the record, this Court finds considerable force in the applicant's submissions. The unexplained delay of over two months in lodging the FIR, despite the complainant's admitted knowledge of the applicant's identity and residence, casts a long shadow over the prosecution's version and demands closer scrutiny at trial rather than a foreclosed

conclusion at this bail stage. More tellingly, the very cornerstone of the prosecution's narrative, the Facebook advertisement said to have lured the complainant to the scene, remains entirely unsubstantiated. The Investigating Officer made no effort to retrieve or forensically verify this crucial digital trail, despite it being the pivotal thread connecting the applicant to the alleged offence. This evidentiary vacuum, compounded by the absence of any independent corroboration notwithstanding the presence of the complainant's own companions at the scene, significantly weakens the case as it presently stands. Investigation being complete and challan submitted, the applicant's culpability is a question properly reserved for trial under Section 497(2), Cr.P.C.; his continued incarceration pending that determination would serve no discernible purpose.

7. In view of the foregoing, the instant Bail Application is allowed. The applicant shall be released on post-arrest bail upon furnishing a solvent surety in the sum of Rs. 100,000/- along with a personal bond in the like amount, to the satisfaction of the trial Court.

8. It is clarified that the observations made herein are strictly tentative, confined to the disposal of this bail application, and shall in no manner influence the trial Court's independent adjudication of the case on merits.

JUDGE

Chander Kumar