

# **IN THE HIGH COURT OF SINDH AT KARACHI**

## **Criminal Bail Application No.3240 of 2025**

Applicant : Asad Masood, Through:  
Ms. Soomia Afsheen, advocate.

Complainant : Akhtar Ali, Through: Mr. Amir  
Nawaz Waraich, advocate

The State : The State: Through Mr. Mumtaz Ali  
Shah Additional Prosecutor General,  
Sindh

Date of hearing : 19.03.2026

Date of Order : 19.03.2026

### **ORDER**

**Jan Ali Junejo, J:**-- Through this order, I intend to dispose of the instant bail application filed under Section 497, Cr.P.C. by the applicant/accused Asad Masood, who seeks post-arrest bail in Crime No. 303/2025, under Sections 147/148/149/337-A(i)/324 PPC, registered at P.S. Quaidabad, Karachi, after his earlier request was declined by the learned IVth Additional Sessions Judge, Malir, Karachi, vide order dated 14.11.2025.

2. Briefly stated, as per contents of the FIR lodged by complainant Akhtar Ali on 01.06.2025, it is alleged that on the same day at about 7:30 p.m., when the complainant along with his friend Muhammad Intezar was returning home on a motorcycle, they were intercepted near Main Mehran Highway, Quaidabad, by five persons riding two motorcycles, including the present applicant. It is alleged that co-accused Javed pointed a pistol at the complainant, while the present applicant inflicted a dagger blow on his left arm with intent to commit murder, and thereafter the other accused

caused him injuries by beating with batons. Upon hue and cry, passersby intervened and the accused fled away. The complainant thereafter lodged the instant FIR.

3. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated due to ulterior motives arising out of a civil dispute between the applicant and the Chief Editor of the newspaper where the complainant is employed. It is argued that the complainant himself admitted that the applicant was unknown to him, yet attributed full identity in an unnatural manner, and no Test Identification Parade was conducted. It is further argued that the alleged injury is on a non-vital part of the body i.e., left arm, and constitutes an offence under Section 337-A(i) PPC, which is bailable. No repetition of injury is alleged, nor any recovery of weapon has been effected from the applicant. The learned counsel maintained that the case falls within the ambit of further inquiry under Section 497(2), Cr.P.C., and prayed that the applicant be admitted to bail.

4. Conversely, learned counsel for the complainant opposed the bail application and contended that the applicant has been specifically nominated in the FIR with a direct and active role of inflicting injury with a dagger. It is argued that the offence under Section 324 PPC is attracted as the act was done with intention to commit murder, and the ocular account is corroborated by medical evidence. It is further contended that there is no mala fide on the part of the complainant, who has no direct dispute with the

applicant, and that the defence plea regarding civil dispute is misconceived. He prayed for dismissal of the bail application.

5. Learned A.P.G. for the State adopted the arguments advanced by the learned counsel for the complainant and further submitted that the applicant is nominated with a specific role and sufficient material is available on record connecting him with the commission of offence. He contended that the nature of allegation does not entitle the applicant to concession of bail and prayed for dismissal of the application.

6. I have heard learned counsel for the parties and perused the material available on record with their able assistance. At the outset, it is noted that the allegation against the present applicant is of causing a single injury with a dagger on the left arm of the complainant. Admittedly, the injury is on a non-vital part of the body. The medical evidence, prima facie, does not suggest any life-threatening injury nor any repetition of blows. It is also significant that although a firearm is alleged to have been present with the co-accused, no firearm injury has been attributed to the complainant. The role of the present applicant is confined to a single blow with a sharp-edged weapon.

7. Furthermore, the complainant, in his statement under Section 161 Cr.P.C., has stated that the applicant was unknown to him prior to the incident. Despite this, no Test Identification Parade was conducted during the course of investigation, which creates a dent

in the prosecution case and renders the identity of the applicant a matter of further inquiry.

8. The contention of the learned counsel for the applicant regarding false implication on account of prior civil dispute also cannot be brushed aside at this stage and requires deeper appreciation of evidence at trial. Moreover, no recovery of the alleged weapon has been effected from the applicant, and the case primarily rests upon oral testimony, which is yet to be tested during trial.

9. In these circumstances, the question as to whether the offence under Section 324 PPC is made out, particularly in view of the nature and seat of injury, is also a matter requiring further inquiry within the meaning of Section 497(2), Cr.P.C. It is settled law that where a case calls for further inquiry, the accused is entitled to concession of bail.

10. For the foregoing reasons, I am of the considered view that the applicant has made out a case for grant of bail. Consequently, the instant bail application is allowed. The applicant/accused Asad Masood S/o Masood Arif is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Lac only) and P.R. bond in the like amount to the satisfaction of the learned trial Court. It is, however, clarified that all observations hereinabove are purely tentative and confined to the adjudication of the present bail application. Nothing stated in this Order shall be construed as an opinion on the merits of the case, and the trial Court

shall proceed independently, uninfluenced by any observations contained herein. These are the detailed reasons for the short order dated 19.03.2026.

**JUDGE**