

ORDER SHEET  
THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA  
Criminal Misc: Application No. S-99 of 2026  
***Mst. Dur Bibi v. Nadir Khan and another***

Date	Orders with signature of Judge
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1. For orders on office objection flag 'A'.
2. For orders on M.A No.1455/26 (E/A).
3. For hearing of main case.

**Date of Order : 07-05-2026**

**Date of Reasons : 11-05-2026**

Mr. Habibullah G.Ghouri, Advocate for applicant.

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Through this Criminal Miscellaneous Application, the applicant seeks cancellation of pre-arrest bail granted to accused/respondent No.1 in Crime No.05 of 2026, registered at Police Station Ratodero, for offences punishable under Sections 302, 337-F(i), 504 and 34, P.P.C, by learned Additional Sessions Judge, Ratodero, vide order dated 17.03.2026.

Learned counsel for the applicant submitted that a specific role has been attributed to respondent No.1/accused inasmuch as he, along with co-accused, allegedly came at the place of incident, called deceased Sajjad Ali from his house into the street and participated in the commission of his murder. He further contended that respondent No.1/accused also caused kicks and fist blows to the deceased. Learned counsel argued that pre-arrest bail is an extraordinary concession, which could not have been extended to respondent No.1/accused as he failed to establish the essential ingredients and prerequisites for grant of such relief, particularly mala fide or ulterior motives on the part of the complainant or police. He further contended that after securing pre-arrest bail, respondent No.1/accused has been exerting pressure upon the complainant party and prosecution witnesses and has thus misused the concession of bail.

I have heard learned counsel for the applicant and examined the material available on record. It is by now well settled that considerations governing cancellation of bail are altogether different from those relevant to the

grant of bail. Bail once granted cannot ordinarily be recalled or cancelled unless it is shown that the concession has been misused, or that the impugned order suffers from patent illegality, arbitrariness or perversity. No such circumstance has been pointed out in the present case. The record reflects that respondent No.1/accused has joined the investigation and no allegation has been substantiated that he avoided or obstructed the process of law. Moreover, admittedly, there is an inordinate delay of about nine months in registration of the F.I.R, for which no plausible explanation has been furnished by the complainant party. Furthermore, no specific role of causing firearm injury to the deceased has been attributed to respondent No.1/accused, while the allegations attributed to him are ancillary in nature. As regards the contention that respondent No.1/accused is issuing threats to the complainant party and prosecution witnesses, no material has been placed on record to substantiate such allegation. Mere bald assertions, unsupported by any tangible material, are not sufficient to justify cancellation of bail already granted by a competent Court of law.

Tentatively, the impugned order passed by the learned trial Court appears to be well reasoned and based upon proper consideration of the material available on record. The same does not suffer from any illegality, arbitrariness or infirmity warranting interference by this Court.

For the foregoing reasons, this Criminal Miscellaneous Application, being devoid of merits, is dismissed in *limine* along with listed applications.

These are the reasons for the short order announced by this Court on 07.05.2026.

**JUDGE**