

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Application No.309 of 2026

Applicant : Khawaja Muhammad Asif through
Mr. Abdul Karim Khan, Advocate.

Respondents : The State through Mr. Qamaruddin Nohri
Deputy P.G. Sindh

Date of hearing : 18.03.2026.

Date of order : 18.03.2026.

ORDER

TASNEEM SULTANA, J.— Through this criminal bail application, the applicant Khawaja Muhammad Asif seeks post-arrest bail in FIR No.662 of 2025 registered at Police Station Darakhshan, Karachi, under Section 395 PPC; earlier, his bail application was declined by the learned VIII Additional Sessions Judge, Karachi South, vide order dated 09.01.2026 passed in Criminal Bail Application No.80 of 2026, hence this application for same concession.

2. Brief facts of the prosecution case are that the complainant Faisal Altaf, being a gunman in the Sindh Police, was performing security duty at Bungalow No.92, Street No.32, Khayaban-e-Mujahid, Phase-V, DHA, Karachi; on 23.08.2025, at about 12:30 a.m., he placed his official rifle beneath his pillow and fell asleep in the guard room; at about 04:45 a.m., three unknown armed persons entered the guard room, awakened him and took him inside the bungalow, where his employer Mr. Tauheed-ur-Rehman and his family members were found held hostage, while two more armed persons were present inside; it is alleged that two of the accused held the inmates hostage while the others searched the house and thereafter left the premises at about 05:15 a.m. after locking the doors from outside; subsequently, it was reported that U.S. dollars' worth about 90 lacs, Rs.10 lacs in cash, gold jewelry valued around Rs.1 crore and 10 lacs, and a Samsung mobile phone (Model S-21 Ultra, IMEI No.353913758047515) had been stolen, leading to the filing of the present FIR.

3. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated; that the FIR has been registered against unknown persons; that the applicant has been roped in subsequently during investigation without any direct evidence; that the allegation regarding provision of vehicle pertains to a routine rent-a-car transaction carried out in the ordinary course of business; that no incriminating material, recovery or

independent evidence has been secured against the applicant; that reliance has been placed upon statements of co-accused recorded in custody which carry no evidentiary value; and that the applicant is entitled to the concession of bail.

4. Learned Deputy Prosecutor General, assisted by learned counsel for the complainant, opposed the application; submitted that the offence is grave in nature; that during investigation sufficient material has been collected connecting the applicant with the commission of offence; that the vehicle used in the occurrence has been traced to the applicant; and that he is not entitled to the concession of bail.

5. Heard. Record perused.

6. At this stage, without entering into deeper appreciation of evidence, it appears from the record that the allegation against the applicant is that the vehicle allegedly used in the commission of offence was provided by him through a rent-a-car arrangement and that he shared the proceeds of the crime; prima facie, the material on record, including the rent agreement and transport receipt, reflects that the said transaction was of commercial nature and the vehicle was rented out in the ordinary course of business; the allegation regarding sharing of proceeds of the crime is also based upon disclosure attributed to co-accused Aijaz-ul-Haq and is not supported by any independent material or recovery; it further appears from the record that while the involvement of the applicant has been suggested through such disclosure, on the other hand, the statement attributed to co-accused Siraj does not implicate the present applicant and rather excludes his involvement; both such statements being those of co-accused, in absence of any independent corroboration or recovery, cannot by themselves be treated as sufficient material at this stage to connect the applicant with the commission of the alleged offence; in such circumstances, it requires consideration as to whether the material available on record is sufficient to connect the applicant with the commission of the alleged offence, thus calling for further inquiry within the meaning of Section 497(2), Cr.P.C.

7. Accordingly, the applicant is admitted to bail subject to furnishing solvent surety in the sum of Rs.200,000/- (Rupees Two Hundred Thousand only) and P.R bond in the like amount to the satisfaction of the learned trial Court.

8. These observations are tentative in nature and shall not influence the trial in any manner.

JUDGE