

THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S-**1069** of 2025

Crl. Bail Application No.S-**1070** of 2025

Applicant(s) : Zameer and Asif (**Crl.B.A.No.S-1060 of 2025**) and Khalid Teewno (**Crl.B.A.No.S-1070 of 2025**) through Mr. Zafar Ali Shah, Advocate a/w applicants Asif and Khalid Teewno.

Complainant : Mst. Sajida (Nemo)

Respondent : The State through Mr. Muhammad Raza Katohar, Deputy Prosecutor General.

Date of Hearing : **14-09-2026**

Date of Order : **18-09-2026**

ORDER

TASNEEM SULTANA, J.- Through these Criminal Bail Applications, applicants Zameer, Asif and Khalid seek pre-arrest bail in Crime No.51 of 2025, registered at Police Station Tharushah, District Naushahro Feroze, for offences punishable under Sections 452, 324, 337-A(i), 337-F(vi), 148 and 149, PPC, after their bail pleas were declined by the learned Sessions Judge, Naushahro Feroze, vide orders dated 12.09.2025 and 30.04.2025. Since both these bail applications arise out of the same crime, they are being decided through this common order.

2. Brief facts of the prosecution case are that on 25.02.2025 at about 07:00 p.m., complainant Mst. Sajida, her husband Uris and Shabnam wife of Saddam Hussain were present when the applicants and their co-accused allegedly arrived armed with different weapons. Asif is alleged to have fired a pistol shot at Uris, causing an injury to his left leg; Zameer is alleged to have fired another pistol shot, which hit Uris on his back; whereas Khalid is alleged to have caused repeater-butt blows on his face. The remaining co-accused are alleged to have caused lathi, hatchet and iron-rod blows. It is further alleged that Uris was thereafter taken away and ultimately handed over to Police Station Tharushah. The FIR came to be registered on 28.03.2025 pursuant to proceedings initiated by the complainant under Sections 22-A and 22-B, Cr.P.C.

3. Learned counsel for the applicants contended that the applicants have been falsely implicated due to previous enmity and longstanding criminal

litigation between the parties; that injured Uris was already facing trial in Crime No.124/2022 of P.S. Tharushah and had been declared a proclaimed offender prior to the occurrence in the present case; that the medical evidence does not correspond with the firearm injuries attributed to applicants Asif and Zameer; that no weapon has been recovered from the applicants; that investigation has been completed and challan submitted; and that co-accused Ghulam Mujtaba, Malik Dino, Mehboob, Hajan and Piyaral have already been granted pre-arrest bail. As regards applicant Khalid, learned counsel submitted that his alleged role is confined to causing a repeater-butt blow and that, in the circumstances of the case, the applicants have made out a case for grant of pre-arrest bail.

4. Conversely, learned counsel for the complainant, assisted by learned Additional Prosecutor General for the State, opposed the applications and submitted that the applicants are specifically nominated in the FIR with distinct roles; that Asif and Zameer are attributed firearm injuries; that Khalid is alleged to have caused a repeater-butt blow on the face of the injured; and, when confronted regarding the role attributed to Khalid, learned Additional Prosecutor General submitted that the corresponding injury falls under Section 337-A(i), PPC. It was further submitted that the delay in registration of the FIR stands explained as the complainant had approached the Ex-Officio Justice of Peace; that the ocular account is supported by the medical and investigative material; and that previous enmity, being a double-edged circumstance, does not furnish a ground for extending the extraordinary relief of pre-arrest bail.

5. Heard. Record perused.

6. It appears from the medico-legal certificate that the injuries recorded therein do not fully correspond with the roles attributed to applicants Asif and Zameer. According to the FIR, Asif fired at Uris and caused a firearm injury to his left leg, whereas Zameer thereafter fired another pistol shot which struck him on the back. The provisional medico-legal certificate dated 26.02.2025, however, does not reflect two separate firearm injuries; it records an entry wound measuring about 0.8 cm x 0.8 cm on the lateral aspect of the right thigh with a corresponding exit wound on the medial aspect of the same thigh, besides a bruise on the right temporal region caused by a hard and blunt substance. The medical record does not disclose any firearm injury on the back. Thus, while two separate firearm hits are attributed to Asif and Zameer, the medical evidence reflects a single firearm injury; more particularly, the firearm

injury on the back attributed to Zameer finds no corresponding support from the medico-legal record, whereas the site of the injury attributed to Asif also does not correspond with that described in the FIR. The firearm injury reflected in the medical record is on the thigh, a non-vital part of the body. Whether, in the circumstances alleged in the FIR, the requisite intention or knowledge so as to attract Section 324, PPC, is made out requires determination after recording evidence at trial. The role attributed to applicant Khalid is confined to causing a repeater-butt blow on the face of Uris; the medico-legal certificate reflects a blunt injury on the right temporal region and, as submitted by the learned Additional Prosecutor General, the corresponding injury falls under Section 337-A(i), PPC, which does not attract the prohibitory clause of Section 497(1), Cr.P.C.

7. So far as the offence under Section 452, PPC is concerned, the allegation of house-trespass forms part of the same occurrence; the punishment prescribed thereunder does not fall within the prohibitory clause of Section 497(1), Cr.P.C., while the allegation regarding forcible entry requires determination after recording evidence at trial. The remaining co-accused, namely Ghulam Mujtaba, Malik Dino, Mehboob, Hajan and Piyaral, have already been granted pre-arrest bail by the learned Sessions Judge vide order dated 30.04.2025. The record also reflects previous criminal litigation between the parties, which, at this stage, is relevant to the applicants' plea of ulterior motive. The circumstances discussed above, when considered cumulatively, call for further inquiry within the meaning of Section 497(2), Cr.P.C.

8. In view of the above facts and circumstances, the applicants, namely Zameer, Asif and Khalid, have succeeded in making out a case for the grant of pre-arrest bail. Consequently, both the bail applications are allowed and the interim pre-arrest bail granted to the applicants vide orders dated 04.12.2025 is hereby confirmed on the same terms and conditions.

9. Needless to mention, the observations made herein are tentative in nature and shall not prejudice the case of either party at trial.

Office to place a signed copy of this order in captioned connected matter.

J U D G E