

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S- 840 of 2026

Applicants: Waheed Ali son of Muhammad Pathan, Chachar, through Mr. Abdul Sami Kalhoro Advocate.

Complainant: None present for complainant.

The State Through Mr. Muhammad Raza Katohar, Deputy Prosecutor General, Sindh.

ORDER.
23.09.2026.

Suresh Kumar, J.--- Applicant named above seeks confirmation of the ad-interim pre-arrest bail granted to him by this Court vide order dated 03.09.2026, in a case bearing crime No. 29/2026, offence u/s 376-B, 344, 506/2 PPC registered at Police Station Retti District Ghotki.

2. The brief facts of the case, as depicted in the FIR, are that on 14.07.2026 at 15:30 hours, the complainant lodged an FIR stating that Sadia, aged 19/20 years, is his daughter. On 12.10.2025, Wahid Bux Chachar abducted her, and FIR No. 941/2025 was lodged at P.S. Khariyan. Subsequently, the complainant, along with witnesses Lateef Khan, Ibrar Ali, and Basheer Ahmed Gujjar, went to the accused to seek the return of his daughter, but she was not available. On 13.07.2026, the complainant went to P.S. Retti, where the police produced her before the concerned court. After recording her statement, she was handed over to the complainant, during which she disclosed that Wahid Bux had kicked her out of his house after a Talak. She then went to Mir Muhammad Chachar for safety, where, at about 4:00 p.m., he and unknown persons were committing zina with her. Waheed Ali, along with his brother, also came there and issued threats. She then took the opportunity to appear at the

police station, from where the police produced her before the court. Ultimately, the above FIR was lodged.

3. I have heard the learned counsel appearing on behalf of the applicant/accused and learned DPG who has opposed for the confirmation of interim pre-arrest bail.

4. Having given due consideration to the arguments advanced by the counsel for the respective parties and having perused the relevant material, it is evident from the FIR that the applicant/accused allegedly issued threats, while no allegations of rape against the accused are mentioned in the FIR. Furthermore, the incident took place on 27.02.2026, while the FIR was lodged on 14.07.2026, resulting in an inordinate delay of four months and 17 days in lodging the FIR, for which no plausible explanation has been furnished. Therefore, deliberation and consultation cannot be ruled out. The applicant/accused is the brother of the ex-husband of the victim, Mst. Sadia; thus, the possibility of false implication of the applicant cannot be ruled out, particularly in circumstances where no role of rape is alleged in the FIR. Hence, the case against the applicant falls within the ambit of further inquiry..

5. After grant of pre-arrest bail by this Court, the applicant/accused has been regularly appearing before this Court as well as before concerned Magistrate and he has not misused the concession of interim pre-arrest bail.

6. For the foregoing reasons above, I am of considered view that the applicant/accused has successfully made out a case for the grant of pre-arrest bail, therefore, the interim pre arrest bail already granted to the

applicant, is hereby confirmed on same terms and conditions with direction to appear before trial Court.

7. Needless to mention that the above observations are tentative in nature and will not prejudice the case of parties at the time of trial.

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