

THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-308 of 2026

Applicant: Rehan Ali through Mr. Ahmed Murtaza A.Arab, Advocate.

Respondent: The State through Mr. Shawak Rathore, Deputy Prosecutor General, Sindh.

Complainant: Mst. Gul Jehan through Mr. Iltaf Hussain Khokhar, Advocate.

Date of hearing: 19.10.2026.

Date of order: 19.10.2026.

ORDER

MUHAMMAD HUMAYON KHAN, J.— The applicant seeks confirmation of interim pre-arrest bail in Crime No.83/2026, registered at P.S. Qasimabad, C.P. Naseem Nagar, Hyderabad, under Sections 364-A/34, P.P.C. His earlier application was dismissed by the learned IInd Additional Sessions Judge, Hyderabad, on 04.03.2026. This Court admitted him to interim pre-arrest bail on 10.03.2026.

2. The prosecution alleges that the complainant's daughter, Khatoon, was taken from her home on 16.02.2026 and that the FIR was lodged on 19.02.2026. The applicant asserts that she left home of her own accord, married him, and that the case arose from a matrimonial dispute. In statements recorded under Sections 161 and 164, Cr.P.C., the alleged victim denied having been kidnapped and stated that she had married the applicant voluntarily. The record also contains a birth certificate indicating her date of birth as 01.01.2014 while other material records a different age and contains differing dates concerning the alleged marriage.

3. I have heard learned counsel for the applicant, learned D.P.G. Sindh and learned counsel for the complainant and examined the available record. The allegation is serious, and the question of the alleged victim's age cannot be determined on the basis of her statement alone. At the same time, her statements denying abduction, the applicant's plea of a matrimonial dispute, and the conflicting material concerning age and chronology require further examination. These circumstances call for a tentative assessment at this stage. The grant of bail to the co-accused is a relevant circumstance, though not by itself decisive.

4. In the case of Salman Mushtaq and others v. The State through P.G. Punjab and another (2024 SCMR 14), the Honourable Supreme Court observed that the gravity of the accusation, by itself, does not conclude the question of bail; the material, the applicant's role, and the other relevant circumstances must also be considered. Without expressing any opinion on the merits, I am of the view that the applicant has made out a case for confirmation of interim pre-arrest bail.

5. Accordingly, the Criminal Bail Application is **allowed** and the interim pre-arrest bail granted to the applicant on 10.03.2026 is confirmed on the same terms and conditions. The observations made herein are tentative and shall not prejudice the case of either party at trial.

JUDGE

Abdullah Channa/PS