

THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Revision Application No.S-74 of 2026

Applicant: Mashooque Ali through Mr. Muzafar Hussain Brohi, Advocate.

Respondent: The State through Mr. Khalid Hussain Lakho, D.P.G. Sindh.

Date of hearing: 12.10.2026.

Date of order: 12.10.2026.

ORDER

MUHAMMAD HUMAYON KHAN, J: - Through the instant criminal revision application under Sections 439 read with 561-A Cr.P.C., the applicant has called in question the order dated 12.05.2026 passed by the learned Additional District & Sessions Judge, Matli, District Badin, whereby his application for reduction of surety amount was dismissed and the surety amount of Rs.2,000,000/- was maintained in connection with Crime No.34 of 2026, registered at Police Station Tando Ghulam Ali, under Sections 337-G, 320 and 427 PPC. The record reflects that the applicant's pre-arrest bail was confirmed vide order dated 08.05.2026, subject to furnishing surety of Rs.2,000,000/- instead of Rs.100,000/-, keeping in view the gravity of the alleged occurrence in which two persons lost their lives. The applicant has assailed the subsequent order, seeking reduction of the surety amount.

2. Learned counsel for the applicant contends that the surety amount of Rs.2,000,000/- is excessive, harsh and disproportionate and prays for its reduction. He seeks interference with the impugned order on the ground that the amount imposed warrants reconsideration.

3. Learned D.P.G. Sindh opposes the revision, contending that the impugned order is lawful, reasoned and based upon the gravity of the occurrence, wherein two persons died allegedly due to the applicant's rash and negligent driving. He contends that no illegality or material irregularity warranting interference has been demonstrated.

4. I have heard the learned counsel for the applicant and the learned D.P.G. Sindh and have examined the available record.

5. The impugned order demonstrates that the learned Additional Sessions Judge did not enhance or maintain the surety amount

arbitrarily; rather, the amount was fixed in the context of a grave road accident allegedly resulting in the deaths of two persons. The record further reflects that the applicant failed to produce his driving license during the proceedings under Section 516-A Cr.P.C., a circumstance noticed by the learned Court while considering the request for reduction of surety. Although the offences are stated to be bailable and the applicant's pre-arrest bail has been confirmed, the question of bail and the determination of an appropriate surety amount are distinct matters. The grant of bail does not, by itself, entitle an accused to reduction of surety without establishing that the amount fixed is arbitrary, excessive in the circumstances or otherwise contrary to law.

6. The applicant has failed to point out any patent illegality, material irregularity, misreading of the record or jurisdictional defect in the impugned order. The gravity of the alleged occurrence and the loss of two precious lives provide tangible and cogent reasons in the impugned order, while no sufficient material has been placed before this Court to justify interference in revisional jurisdiction. Consequently, the instant criminal revision application, being devoid of merit, is **dismissed** and the impugned order dated 12.05.2026 passed by the learned Additional District & Sessions Judge, Matli, District Badin, is **maintained**. These observations are confined to the question of surety and shall not prejudice the merits of the pending criminal proceedings.

JUDGE