

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S- 585 of 2026

Applicants: Imran Ali son of Muhammad Usman Lund
through Mr. Muhammad Ayaz Marri,
Advocate.

Complainant: through Mr. Alam Sher Bozdar, Advocate.

The State Through Mr. Shafi Muhamamd Mahar,
Deputy Prosecutor General, Sindh.

ORDER. **20.10.2026.**

Suresh Kumar, J.--- Applicant named above seeks confirmation of the ad-interim pre-arrest bail granted to him by this Court vide order dated 16.06.2026, in a case bearing crime No. 172/2026, offence u/s 452, 365-B, 375-A PPC and 3 TIP registered at Police Station Naushahero Feroze.

2. The brief facts of the case, as depicted in the FIR, are as follows: On 15.04.2026, at 8:00 p.m., the applicant/accused, along with co-accused, entered the house of the complainant. At the point of a pistol, applicant/accused Imran dragged Mst. Nargis, the sister of the complainant, outside of the house and took her away. Subsequently, the applicant/accused, along with co-accused, committed zina one by one. Thereafter, the next morning, they placed her on a Shalimar coach and left her in Karachi. Ultimately, the complainant went to the police station and lodged the FIR.

3. I have heard the learned counsel appearing on behalf of the applicant/accused and learned DPG for State. Complainant Faisal and victim/abductee Mst. Nargis are present in Court along with their counsel.

4. Having given due consideration to the arguments advanced by the counsel for the respective parties and having perused the relevant material, it is revealed from the perusal of the FIR that there are allegations of abduction and the commission of rape against the applicant/accused. The FIR was lodged on 17.04.2026, while the incident is shown to have taken place on 15.04.2026, and this delay of two days has not been plausibly explained by the complainant. The medical certificate of the alleged victim reveals that DNA/sperm was not found and ultimately opined that no sexual act had been performed. Therefore, the case against the applicant/accused falls within the ambit of further inquiry. The complainant and the victim have filed affidavits through their counsel, in which they stated that they have raised no objection to the grant of pre-arrest bail, as their matter has been settled by their relatives. In this regard, the learned counsel for the applicant has relied upon the case of Muhammad Najeeb v. The State (2009 SCMR 448), in which bail was granted on the ground that the complainant initially nominated the accused but later expressed satisfaction regarding the innocence of the accused through an affidavit and did not wish to proceed with the matter. He has also relied upon the case of Niaz Ahmed v. The State (1987 MLD 1780), in which bail was granted on the ground that the alleged abductee filed an affidavit along with the complainant, recording their no objection. The applicant/accused has joined the investigation and has been regularly appearing before this Court, and has not misused the concession of bail.

5. For the foregoing reasons and the guidance taken from the above-cited case law, as well as the lack of objection raised by the complainant and the abductee, I am of the 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 the same terms and conditions, with a direction to appear before the trial court.

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

J U D G E

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