IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S-545 of 2026

Applicant:	Gulzar Ahmed son of Nihal Khan bycaste Malik, Resident of village Langho, Ubauro, Taluka Ubauro, District Ghtoki. **Through** Mr. Muhammad Tariq Panhwar, advocate.
The complainant:	Ahmed Ali Rind **through** Choudhry Shahid Hussain.
The State	**Through** Mr. Shafi Muhammad Mahar, Deputy Prosecutor General, Sindh.

Date of hearing & Orders: 02-11-2026.

O R D E R.

Suresh Kumar, J.--- Through the instant bail application, the applicant named above seeks confirmation of the ad-interim pre-arrest bail already granted to him by this Court vide order dated 08-06-2026, in a case bearing crime No. 02/2025, offence u/s 320, 322 PPC, PS Ubauro, District Ghotki.

2. Concisely, the facts of the prosecution case, as depicted in the FIR, are that the complainant, Ahmed Ali Rind, lodged the FIR on 06-01-2025, alleging therein that, due to the negligence and rash driving of the tractor-trolley by the accused, Gulzar Ahmed, near Alliance Sugar Mill, the tractor-trolley collided with a motorcycle driven by Ahsan Ali, as a result of which Ahsan Ali, Mst. Aisha Bibi and Mst. Zahid sustained injuries and subsequently succumbed to their injuries.

3. The applicant initially sought pre-arrest bail from the Court of the learned Sessions Judge Ghotki, which was dismissed vide order dated 05-05-2026. Being aggrieved by this dismissal, the applicant has approached this Court.

4. I have heard learned counsel for the applicant/accused, learned DPG for the State as well as learned counsel for the complainant. Learned

counsel for the complainant raised no objection for confirmation of interim pre arrest bail.

5. Having given due consideration to the arguments advanced by the counsel for the respective parties and having perused the relevant material available on record, it reveals from the perusal of the FIR that the applicant has been assigned the role of negligence and rash driving, for which Sections 320 and 322 of the PPC have been applied in the FIR. However, the record reveals that Section 322 of the PPC has been deleted in the challan, which is apparently not applicable, while Sections 279 of the PPC have been added alongside Section 320 of the PPC. The sections applied in the challan are bailable. It is well-settled law that bail in bailable offences is a right of the accused, as held by the Supreme Court in the case of Tariq Bashir v. The State (PLD 1995 SC 34). After the grant of interim pre-arrest bail, the applicant has not misused the concession of pre-arrest bail.

6. For the foregoing reasons above and guidelines taken from the above case laws, I am of considered view that the applicant/accused has successfully made out a case for the grant of bail, therefore, interim pre-arrest bail already granted to him on 08-06-2026 is confirmed on same terms and conditions with directions to appear before the trial Court.

J U D G E

Nasim/P.A