ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl. Misc. Application No. S- 399 of 2026
Crl. Misc. Application No. S- 425 of 2026
(Deedar Ali Khokhar Jahandeer Versus The State & others)

Date of hearing	Order with signature of Judge

For hearing of main case.

02-11-2026

Mr. Illahi Bux Jamali, Advocate for the applicant.
M/s Deedar Ali Chohan and Wali Muhammad Mangi advocates for the private respondents
Mr. Khalil Ahmed Maitlo, Deputy P.G for the State.

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Suresh Kumar,J. By this common order, I intend to dispose of captioned Crl. Misc. Applications filed by the applicant/complainant for cancellation of bail of accused/private respondents granted to them by learned trial Court vide order dated 05-06-2026 and 12-06-2026, arising out of one and same Crime No. 148/2026, offence u/s 365-B PPC registered at police station Kandiaro.

2. As per the allegations leveled in the FIR, the private respondents abducted Mst. Shumaila, daughter of the complainant, Deedar Ali, on 06-05-2026, whereafter private respondent Sakhi alias Wajid Ali allegedly contracted marriage with her forcibly.

3. I have heard learned counsel for applicant, as well as learned DPG for the State assisted by learned counsels for the private respondents, who have supported the impugned order dated order dated 05-06-2026 and 12-06-2026passed by learned Additional Sessions Judge Moro.

4. Having given due consideration to the arguments advanced by the counsel for the parties and having perused the impugned order, it reveals from the perusal of the FIR that the private respondents have been granted bail on the grounds that there is a delay of 12 hours in lodging the FIR, for which no explanation has been furnished by the complainant. Additionally, a free will affidavit and Nikahnama produced by the private respondents/accused show that Mst. Shumaila contracted marriage with the accused/respondent Sakhi alias Wajid Ali. Learned counsel for the applicant has mainly contended that the abductee stated in her statement recorded under Section 164 Cr.P.C. that she was abducted by the respondents/accused and forcibly solemnized Nikah. Apparently, there are two versions according to the material available on record; therefore, the learned Additional Sessions Judge has rightly held that the case against the applicants/accused calls for further inquiry. Upon inquiry, learned counsel for the applicant/complainant has admitted that the Nikah is still in effect and the alleged abductee has neither challenged the Nikahnama before the concerned forum nor filed any suit for jactitation of marriage. It is well-settled law that once bail has been granted by a competent court of law, strong and exceptional grounds are required for the cancellation of the bail. Reliance is placed on the case of Muhammad Azhar v. Dilawar and others (2010 PLJ 465). In the case of Chairman NAB through Anti-Narcotics v. Khalid Sharif and others (2006 PLJ 422), it was held that an order granting bail is liable to be cancelled where it is perverse on the face of the record and when the court embarks on an inquiry having substantive available evidence. In the present case, no substantive material has been brought on record for the cancellation of the bail of the respondents/accused.

5. For the foregoing reasons and guidance taken from the above case law, I am of the considered view that applicant/complainant has failed to make out case for cancellation of bail granted to respondents/accused. Consequently, both the captioned Criminal Miscellaneous Application U/S 497(5) Cr.P.C are dismissed.

J U D G E

Nasim/P.A