IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S-531 of 2026

Applicants:	1. Mumtaz Ali. 2. Roshan Ali. Both sons of Allah Rakhio, bycaste Chachar, Resident of villge Karam Chachar, Taluka and District Khairpur **Through** Syed Wajid Ali Shah, Advocate.
The Complainant.	Mst. Lela wife of Abdul Hameed Chachar **through Mr**. Abdul Sattar Thaheem, advocate.
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 applicants named above seek confirmation of the ad-interim pre-arrest bail already granted to them by this Court vide order dated 04-06-2026, in a case bearing crime No. 59/2026, offence u/s 452, 365, 511, 337A(i), 34 PPC registered at Police Station B-Section Ghotki.

2. Concisely, the facts of the prosecution case, as depicted in the FIR, are that the complainant, Mst. Lela, lodged the FIR on 15-05-2026, alleging therein that on 04-05-2026, she, along with her daughter, Mst. Rukhsana, and son, Sanaullah Chachar, was present at her house. At about 12:30 p.m., accused Mumtaz Ali and Roshan Ali, along with two unidentified persons, entered their house while armed with weapons. Accused Mumtaz Ali and Roshan Ali attempted to kidnap her daughter, Mst. Rukhsana, whereupon Mst. Rukhsana and Sanaullah Chachar resisted them. Consequently, accused Mumtaz Ali and Roshan Ali caused injuries to Mst. Rukhsana on her left knee and to Sanaullah Chachar on his left knee. Thereafter, the accused persons fled from the scene. Ultimately, the complainant lodged the above-mentioned FIR.

3. The applicants/accused initially sought pre-arrest bail from the Court of the learned IInd Additional Sessions Judge Ghotki, which was dismissed vide order dated 25-05-2026. Being aggrieved by this dismissal, the applicant has approached this Court.

4. I have heard learned counsel for the applicants/accused, learned DPG for the State as well as learned counsel for the complainant, who have strongly opposed the bail application.

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 incident took place on 04-05-2026, while the FIR was registered on 15-05-2026, resulting in a delay of 11 days. This delay has not been plausibly explained; therefore, consultation and deliberation on the part of the complainant cannot be ruled out. The record reveals that the accused, Mumtaz Ali, who is the husband of Mst. Rukhsana, along with his brother Roshan Ali, attempted to abduct his wife and caused injuries to both Mst. Rukhsana and Roshan Ali. However, the medical certificate indicates that no visible injury was found on Mst. Rukhsana, while the injury sustained by Roshan Ali has been classified as 337F(v), which carries a punishment of up to five years. Nonetheless, this medical certificate has been kept in abeyance due to the non-appearance of the injured party before the medical board. It appears that there is a matrimonial dispute between the parties; therefore, malafide intention against the applicants/accused cannot be ruled out. Furthermore, the allegation of abduction of the wife (Mst. Rukhsana) against the husband (Mumtaz) is quite unnatural and does not appeal to a prudent mind. The aforementioned cumulative facts

call for further inquiry against the applicants/accused, as embedded in Section 497(2) Cr.P.C. After the grant of interim pre-arrest bail, the applicants have appeared before the trial court and have been regularly attending the trial, without misusing the concession of interim pre-arrest bail.

6. For the foregoing reasons, I am of considered view that the applicants/accused have successfully made out a case for the grant of pre-arrest bail, therefore, the interim pre arrest bail already granted to them on 04-06-2026, is hereby confirmed on same terms and conditions with direction to appear before trial Court.

7. Needless to say that the above observations are tentative in nature and will not prejudice the case of either party at the time of trial.

J U D G E

Nasim/P.A