

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**CrI. Bail Application No. S-711 of 2026**

Applicant: Nadeem Ahmed son of Bakhtiar Ahmed bycaste Pitafi, **through** Mr. Yar Muhammad Jalbani Advocate.

The State **Through** Mr. Muhammad Raza Katohar, Deputy Prosecutor General, Sindh.

Date of hearing: 19-08-2026.

Dated of order 19-08-2026.

ORDER.

Suresh Kumar, J.---Through instant bail application, applicant Nadeem Ahmed Pitafi seeks post arrest bail in a case bearing Crime No. 137/2026, offence u/s 377 PPC registered at Police Station A-Section Ghotki, District Ghotki.

2. The facts of the prosecution case, as depicted in the FIR, are that the complainant, Nabi Bux, lodged the FIR on 06-05-2026, alleging that on 30-04-2026, near Shahid Public School in Pano Jo Bano, he heard the cries of his nephew, Asif Ali. Upon investigation, they saw the accused, Irshad, Khalid, and Nadeem, who fled upon seeing the complainant's party. Asif Ali subsequently disclosed to the complainant's party that the aforementioned accused had committed sodomy against him. Ultimately, the complainant appeared at the police station and lodged the FIR.

3. I have heard learned counsel for the applicant/accused and learned Deputy P.G for the State.

4. Having given due consideration to the arguments advanced by the counsels appearing on behalf of the respective parties, I have perused the relevant record. From the perusal of the FIR, it reveals that the applicant/accused, Nadeem, is nominated with the specific role of

committing sodomy against the victim, Asif Ali, who is the nephew of the complainant. The version of the complainant is fully supported by the PWs as well as the victim, Asif Ali, in their statements recorded under Section 161 of the Cr.P.C. The learned counsel for the applicant has mainly contended that there is a delay of six days in lodging the FIR; however, delay in such cases is natural, as the question of the dignity of the complainant party is involved; therefore, people tend to avoid registering the FIR promptly. Although the medical certificate is negative, swabs were taken for the detection of semen eight days after the alleged incident; therefore, the question of detecting semen is not possible after such a period. Moreover, the offence is punishable by imprisonment for life or for a term of up to 10 years; therefore, it falls under the prohibitory clause of Section 497(1) of the Cr.P.C. No previous enmity has been brought on record by the applicant against the complainant party for false implication in this case.

5. For the foregoing reasons, I am of the considered view that the applicant/accused has failed to make out a case for the grant of bail on merits; therefore, the bail application of the applicant/accused is dismissed. However, the applicant/accused is at liberty to repeat the bail application after the examination of material witnesses, and the trial court is directed to dispose of the matter expeditiously, preferably within a period of six months after the receipt of this order.

6. 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