

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

CrI. Bail Application No. S-16 of 2026

Applicants:	1. Ghulam Hussain son of Sadar Din. 2. Nizamuddin son of Wahid Bux. 3. Muhammad Ismail son of Wahid Bux. 4. Ghulam Qadir @ Abdul Qadir son of Azizullah. 5. Azizullah son of Rahimb Bux. All bycaste Chachar, resident of village Tahir Chachar, Taluka Pano Aqil, District Sukkur. through Mr. Badarudding Inchar, advocate.
The Complainant	Taj Muhammad son of Dost Muhammad bycaste Chachar through Mr. Muhammad Yasir Kalhoro , advocate.
The State	Through Mr. Shafi Muhammad Mahar, Deputy Prosecutor General, Sindh.
Date of hearing:	24-08-2026.
Dated of order	24-08-2026.

ORDER.

Suresh Kumar, J.---Applicants named above seek confirmation of the ad-interim pre-arrest bail granted to them by this Court vide order dated 06-01-2026, in a case bearing crime No. 11/2025, offence u/s 452, 337A(i), 337F(v), 337L(ii), 447, 114, 147, 148, 149 PPC registered at Police Station Sadoja, District Sukkur.

2. The brief facts of the case are as follows: Complainant Taj Muhammad Chachar lodged the FIR on 21-11-2025, alleging that on 17-10-2025 at 10:00 am, the accused Ghulam Hussain, Khadim Hussain, and Abdul Sami, armed with Kalashnikovs, along with Ghulam Mustafa, Nizamuddin, Muhammad Ismail, and Ghulam Qadir, armed with lathis, Dhani Bux armed with a rifle, Mazhar Din armed with a gun, Gul Muhammad, Akbar armed with lathis, Wahid Bux armed with a lathi,

Muhammad Ali, and Azizullah armed with a lathi, all belonging to the Chachar caste, entered the house of the complainant. Upon the instigation of the accused Ghulam Hussain, the accused Nizamuddin inflicted a lathi blow on the head and fingers of the complainant, while the accused Muhammad Ismail delivered a lathi blow to the backside as well as the left leg of the complainant. The accused Ghulam Qadir struck a lathi blow on the right leg, and Azizullah caused a lathi blow to the head and left arm of Din Muhammad. Subsequently, the accused persons raised slogans and issued threats of dire consequences before departing. Ultimately, the complainant lodged the aforementioned FIR.

3. The applicant initially sought pre-arrest bail from the Court of the learned Additional Sessions Judge, Pano Aqil, which was dismissed via order dated 19-12-2025. Being aggrieved by this dismissal, the applicant has approached this Court.

4. I have heard the learned counsel appearing on behalf of the applicant/accused and the learned DPG for the State, assisted by the learned counsel for the complainant.

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 is revealed from the perusal of the FIR that the applicant Ghulam Qadir, armed with a lathi, along with co-accused, caused lathi blows to the complainant Taj Muhammad and Din Muhammad. Such injuries were declared as Shajjah-i-Khafifah, Ghayar-e-Jaifah Hashimah, and other hurts, which are punishable under sections 337A(i), 337F(v), and 337L(ii) of the PPC. Of these, 337A(i) and 337L(ii) are bailable, while the other sections applied in the FIR do not fall within the

clause of section 497 Cr.P.C. In similar circumstances, the Hon'ble Supreme Court has granted bail in the case of Khalil Ahmed Soomro v. State (2017 PLD 730). Moreover, FIR No. 08/2025 has also been lodged by the applicant/accused Nizamuddin against the complainant party prior to the lodging of the instant FIR, and both FIRs reveal that there is a dispute between the parties over landed property. This indicates that a previous dispute is acknowledged over the land; therefore, mala fide on the part of the complainant cannot be ruled out. The case has been challaned, and the applicants/accused are no longer required for further investigation, as they are appearing before the trial Court, according to the statement submitted by the learned counsel for the applicants.

6. For the foregoing reasons and the guidelines derived from the above-referred case law, I am of the 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 the applicants on 06-01-2026 is hereby confirmed on the same terms and conditions, with a direction to appear before the trial Court. Needless to say, the above observations are tentative in nature and will not prejudice the case of either party during the trial.

J U D G E