

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT
COURT MIRPURKHAS

Criminal Misc. Application No. S-201 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A No.1893/2026.
- 2. For order on office objections.
- 3. For orders on M.A No.1894/ 2026.
- 4. For hearing of main case.

16.07.2026

Mr. Muhammad Nisar advocate for the applicant a/w applicant.
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- 1. Urgency granted.

Through the instant application, filed under Section 497(5), Cr.P.C., the Applicant/complainant Bashir Unar has invoked the supervisory jurisdiction of this Court, seeking cancellation of the concession of pre-arrest bail extended to the Respondents/accused, and has assailed the order dated 11.06.2026, passed by the learned Additional Sessions Judge-I/MCTC, Sanghar, whereby the pre-arrest bail earlier granted to the Respondents/accused in Crime No. 50/2026, registered for offences under Sections 447, 506(2), 337-H(ii), 504, 147, 148 and 149, P.P.C., was confirmed.

Learned counsel for the Applicant submits that distinct and specific roles stand attributed to each of the Respondents/accused in the narration of the F.I.R., and that the complainant's version finds ample corroboration in the statements of the prosecution witnesses recorded during investigation. He contends that these material considerations escaped due appreciation at the hands of the learned Court below. He further submits that the impugned order is vitiated by material irregularity and illegality, inasmuch as the extraordinary concession of pre-arrest bail was extended to the Respondents/accused without adequate application of judicial mind to the evidence on record. It is urged that the impugned order proceeds upon a misreading and non-reading of the material evidence, is afflicted with patent legal infirmity, and has occasioned a miscarriage of justice. Learned counsel accordingly prays that the impugned order be set aside and the concession of pre-arrest bail granted to the Respondents/accused be recalled.

I have accorded anxious consideration to the submissions advanced by learned counsel for the Applicant and have examined, with due care, the material available on the record together with the impugned order.

It is by now well settled that the jurisdiction vested in this Court under Section 497(5), Cr.P.C. to cancel a concession of pre-arrest bail is circumscribed by well-defined parameters, materially distinct from those applicable at the stage of grant. An order granting bail, once passed, cannot be disturbed merely because an alternative view of the matter is plausible, nor on account of the complainant's mere dissatisfaction therewith. Interference is warranted only where it is demonstrably shown that the order impugned suffers from patent illegality, material irregularity, or misreading/non-reading of the evidence on record, or where a supervening event discloses that the accused has misused the concession of bail by tampering with prosecution evidence, intimidating or influencing witnesses, absconding from justice, or otherwise obstructing the fair and impartial course of the trial.

In the case at hand, the Applicant has failed to demonstrate any jurisdictional error, legal infirmity, or perversity attaching to the impugned order. Equally, no supervening circumstance or instance of misuse of the concession of pre-arrest bail by the Respondents/accused has been placed on record so as to warrant interference by this Court in the exercise of its revisional jurisdiction. The learned Court below, upon due appraisal of the material placed before it, appears to have exercised its discretion judiciously and in consonance with settled principles of law. No case for cancellation of the concession already extended stands made out.

For the foregoing reasons, the instant Criminal Miscellaneous Application, being devoid of merit, is dismissed in *limine* along with the connected/listed application(s) pending herein.

JUDGE

"Adnan Ashraf Nizamani"