

**IN THE HIGH COURT OF SINDH, AT KARACHI**  
Cr. Bail Application No. 381 of 2022

Applicant : Sarmad Siddiqui s/o Shakil Siddiqui,  
through Mr. Imtiaz Ali, advocate.

Respondent : The State, through Mr. Faheem Hussain  
Panhwar, D.P.G.

Complainant : Muhammad Irfan s/o Abdul Salam,  
through Mr. Safdar Ali Abro, advocate  
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Date of hearing : 14.04.2022  
Date of order : 14.04.2022  
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**ORDER**

**ZAFAR AHMED RAJPUT, J:-** Through instant Criminal Bail Application, applicant/accused Sarmad Siddiqui s/o Shakil Siddiqui seeks pre-arrest bail in Crime No. 1036/2021, registered at P.S. Ferozabad, Karachi under section 382, 342, 506, 337-A(i), 34, P.P.C. His earlier application for the same relief bearing No. 267/2022 was dismissed by the learned Additional Sessions Judge-IV, Karachi-East, vide order dated 09.02.2022. He was admitted to interim bail by this Court vide order, dated 25.02.2022, now the matter is fixed for the confirmation of the same or otherwise.

2. It is alleged that during night between 15<sup>th</sup> & 16<sup>th</sup> December, 2021 applicant, co-accused Shakil and two unknown persons, in furtherance of their common intention, after removing his cloths caused fists and kicks blows to the complainant; burnt sensitive parts of his body and hand with lighter, so also snatched cash of Rs.25,000.00, mobile phone, key of clinic, shopper of medicine and motorcycle bearing No. KEU-7511.

3. After hearing the learned counsel for the parties as well as learned D.P.G. and perusing the material available on record, it appears that no specific role has been attributed to the applicant in the commission of alleged offence and

allegations are general in nature. There is no independent witness of the alleged incident. The I.O after completing investigation has submitted the challan before the trial Court. Section 506, 342, & 337-A (i), P.P.C. are bailable, while section 382, P.P.C does not fall within the prohibitory clause of section 497, Cr.P.C. The MLC does not support the version of the complainant narrated in F.I.R., as nothing reflects in it about causing of any injury on the private parts of the body of the complainant. The applicant after being granted interim bail is attending the trial Court regularly and there is no complaint of misusing the concession of interim bail; hence, the interim bail granted to applicant is confirmed on the same terms and conditions.

4. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant on merits. However, in case the applicant misuses the concession of bail in any manner, the trial Court shall be at liberty to cancel the same after giving him notice, in accordance with law

Cr. Bail Application stands disposed of.

JUDGE

*Athar Zai*