

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Criminal Bail Application No. 746 of 2022
Criminal Bail Application No. 745 of 2022

Date

Order with signature of Judge

For hearing of Bail Application.

04.08.2022

Syed Gulzar Hussain, Advocate for the Applicant.
Mr. Khadim Hussain, Addl. Prosecutor General, Sindh.
Mr. Allah Ditta shakir, Advocate for the Complainant.

ORDER

Muhammad Saleem Jessar, J:- By this common Order, I intend to dispose of these bail applications as both arise out of one and same crime and common question of law as well facts are involve in both Applications.

2. The applicant has preferred her bail plea before the first forum, which by means of orders both dated 25.03.2022 were declined, hence, has maintained these bail applications before this Court.
3. Since the facts of the case are already mentioned under the FIR which is annexed with the Court file, therefore, there is no need to reproduce the same.
4. Learned counsel for the applicant submits that applicant being lady has wrongly been implicated by the police and even her name does not transpire under the FIR. He further submits that no robbed article has been shown to have been recovered from her possession; however, four live bullets of 9mm have been shown to have been recovered from her body. He, therefore, submits that she is under custody right from the date of her arrest viz. 04.02.2022; hence, her case requires further inquiry and she may be released on bail.
5. Learned Addl. P.G, Sindh appearing for the State, opposes the bail application on the ground that on 04.02.2022 she was arrested along with co-accused Arshad and Alian, from whose possession the offensive weapons were also

recovered; besides, later on they had produced robbed articles during investigation. He further submits that she did not disclose the relationship with co-accused along with she was arrested and per CRO in all four cases have also been shown to have been registered against her; hence, she being habitual offender, is not entitled for bail.

6. Learned counsel for the complainant is not in position to argue the case; however, submits that his client has not been in touch with him, therefore, he has no instructions.

7. I have heard learned counsel for the applicant, learned Addl. P.G, Sindh as well as learned counsel for the complainant and have gone through the material made available on record.

8. No doubt, name of the applicant does not transpire in the FIR but the fact that she was arrested along with co-accused when they were standing at the road. At the time of her arrest, she produced four live bullets and her relationship with co-accused has not been established except they being companion to each other. Per CRO, she has been involved in many other cases, therefore, her conduct shows she is a habitual offender and does not deserve leniency in shape of bail. Mere fact that she being lady is entitled for bail, is not sufficient particularly when she was involved in a heinous case.

9. The upshot of above discussion is that no case for interference is made out, therefore, she is not entitled for grant of bail. Consequently, instant bail application is hereby dismissed. However, the trial Court is directed to expedite the trial and conclude it within two (2) months' time, under intimation to this Court.

10. It is pertinent to mention that the observation(s) made hereinabove is/are tentative in nature and shall not prejudice the case of either party during trial.

11. Both Criminal Bail Application, are disposed of in the terms indicated above.

Office to place copy of this order in connected bail application.

JUDGE