

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD**  
Cr. Bail Application No.S-62 of 2022

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE(S)</b>
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1. For orders on office objections.
2. For hearing of main case.

29.08.2022.

Applicants are present on ad-interim pre-arrest bail.  
Mr. Abdullah Langah, Advocate for applicant.  
Mr. Imran Ali Abbasi, Assistant P.G.

O R D E R

**MUHAMMAD IQBAL KALHORO, J-** Applicants are alleged to have attempted to commit zina with daughter of the complainant in her house situated in Wahi Bandhi District Dadu on 20.04.2021 at 1:30 p.m., the FIR of which was however lodged on 29.05.2021 after 39 days without any plausible explanation. The Investigating Officer without conducting proper investigation in the matter has simply referred applicants to the Court for a trial on a word of complainant and her daughter in this regard. The victim is stated to be wife of Wakeel Ahmed, who is not even witness in the case.

2. Learned A.P.G has admitted that there is no medical evidence as the victim did not submit to medical examination which is strange as it was actually through medical examination assault on her could have been confirmed.

3. I have heard the applicants in person who have alleged enmity with the complainant, a police constable, as a reason to implicate them in this case. Learned A.P.G has opposed bail to applicants but since *mala fide* on the part of complainant in view of absence of any medical evidence cannot be ruled out coupled with delay of 39 days in lodging of FIR. The application is allowed and

ad-interim pre-arrest bail already granted to the applicants is hereby confirmed on same terms and conditions.

4. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

JUDGE

Shahid