

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-836 of 2021

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

22.10.2021.

Applicant is present on interim pre-arrest bail.
Mr. Muzammil Ali, Advocate for complainant alongwith
complainant. Mr. Nazar Muhammad Memon, Additional P.G.

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MUHAMMAD IQBAL KALHORO,- Applicant allegedly armed with a hatchet alongwith other co-accused duly armed with hatchets and pistols, waylaid complainant's brother Qurban travelling in ALTO car at link road Nagar Wassan Chowk at Jhan Mori Stop and caused him severe beating on account of dispute over the land. He received as many as seven injuries, out of which, two injuries are non-bailable falling under Section 337-A(iii) and 337-F(iii) PPC.

Applicant is said to have caused him the injury falling under Section 337-A(iii) which is punishable upto 10 years. His Counsel is absent and Mr. Asif Leghari, Advocate holding brief on his behalf has declined to argue the case. I have heard applicant in person so also Counsel for the complainant and learned Additional P.G who has taken me to the relevant papers available in the prosecution case including F.I.R, 161 Cr.P.C. statements and Medico Legal Certificate, which support the allegations leveled against the applicant. Applicant on the other hand says that he is innocent and has been falsely implicated in this case. No case for extraordinary relief of pre-arrest bail to the applicant is made out in presence of specific role of causing hatchet blow on the forehead of P.W Qurban which is supported by the medical certificate. Besides, applicant has been challaned under Section 324 PPC for causing such injury to him. Apart from above, nothing is brought on record to show mala fide on the part of complainant. Therefore, I am of the view that applicant is not entitled for concession of pre-arrest bail, hence, the bail application is dismissed and interim pre-arrest bail already granted to him vide order dated 23.09.2021 is hereby recalled.

JUDGE

Shahid