

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Bail Application No.S-1092 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.

13.12.2021.

Mr. Wajid Ali Khaskheli, Advocate for applicant alongwith applicant.

Mr. Zahid Hussain Laghari, Advocate for complainant alongwith complainant.

Mr. Nazar Muhammad Memon, Additional P.G.

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MUHAMMAD IQBAL KALHORO, J.- Applicants are accused of causing injuries to atleast five persons including complainant on 25.07.2021 on account of previous enmity when complainant party was available near their lands at Gul Muhammad Wah, Taluka Johi. All the applicants have been assigned specific role of causing injuries to individual PWs but those injuries as opined by the Medico Legal Officer are minor in nature andailable except injury sustained by Gulab which falls under Section 337-F(vi) PPC, is punishable for seven years. However, that injury is attributed to accused Mir Muhammad who is not applicant before the Court.

2. Learned Counsel for applicants has pleaded innocence of the applicants, in addition to pressing ground of minor injuries caused by the applicants to the injured as a foremost consideration for bail.

3. On the contrary, learned Counsel for the complainant has opposed bail to the applicants on the ground as stated above. However, learned Additional Prosecutor General in view of nature of the injuries has not opposed bail. Besides, minor andailable injuries attributed to the applicants, there is delay of about 18 days in registration of FIR. The previous enmity is admitted by the complainant. All these factors put together would make the case against the applicants to be one of further inquiry. The case has been challaned and applicants are no more required for further investigation. Accordingly, the application is allowed and the 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