

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

Crl. Bail Application No. 2290 of 2022

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**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

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For hearing of bail application.

**03-03-2023**

M/s. Shams-ul-Hadi and Abdul Jalil, Advocates for applicant.  
Mr. Faheem Ahmed Panhwar, Addl.P.G.

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**Omar Sial, J:** Shabbir Shah alias Mama has sought post arrest bail in crime number 345 of 2022 registered under sections 302, 109 and 34 P.P.C. at the Quaidabad police station. Earlier, his application seeking bail was dismissed on 02.11.2022 by the learned 1<sup>st</sup> Additional Sessions Judge, Malir, Karachi.

2. A background to the case is that the aforementioned F.I.R. was registered on 22.06.2022 on the complaint of one Zahoor Begum. She recorded that her son Omar Zaman lived in a rented house. On 17.06.2022 she was informed that Omar had been injured in a shooting incident and has succumbed to his wounds. The F.I.R. was registered against unknown persons.

3. I have heard the learned counsel for the applicant and the learned Addl.P.G. The bailiff reported that though the complainant was at home, she refused to accept the court notice. I have heard the counsels. My observations and findings are as follows.

4. The learned Addl.P.G. had explained to me that on 17.07.2022, one Zafar Khan emerged who recorded a statement in which he stated that the applicant had threatened him (Zafar) and for that threat Zafar had registered an F.I.R. No. 386 of 2022 against the applicant. He further stated that in that threatening phone call, the applicant had also hurled threats to Omar Zaman. This, at the moment, is the entire evidence against the applicant. Learned Addl.P.G. has struggled to explain to me as to how would a threat given to Zafar suffice as a ground to deny bail to the

applicant? He however does submit that the recordings of the conversations between the applicant and Zafar are contained on a USB for which there is no transcript nor does there appear to be a seizure memo.

5. It is obvious from the facts argued before me and explained in the preceding paragraph that the case against the applicant is one of further inquiry.

6. Above are the reasons for the short order dated 27.02.2023.

JUDGE