

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Crl. Bail Application No. 998 of 2022

DATE

ORDER WITH SIGNATURE OF JUDGES

For hearing of bail application.

10-03-2023

Mr. Rawas Khan Afridi, Advocate for applicant.
Mr. Abdullah Mahar, Advocate for complainant.
Ms. Robina Qadir, Addl.P.G.

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Omar Sial, J: Mohammad Naeem has sought post arrest bail in crime number 582 of 2021 registered under sections 394, 397 and 302 P.P.C. at the Surjani police station. Earlier, his application seeking bail was dismissed by the learned 2nd Additional Sessions Judge, Karachi West vide its order dated 01.04.2022.

2. A background to the case is that the aforementioned F.I.R. was registered on the complaint of one Mohammad Safdar. Safdar reported that he was standing with his friend Mohammad Sami when 2 persons on a motorcycle suddenly emerged and on gun point looted the 2 boys of their valuables. The complainant got so scared that he ran inside his house only to hear a pistol being fired outside. He saw that his friend Sami was lying on the ground in an injured condition. The complainant and other neighbors took Sami to the hospital but he unfortunately succumbed to his injury soon thereafter.

3. It is pertinent to point out that the same applicant had earlier file a bail application in this court (being Crl. Bail App No. 1173 of 2021) which was dismissed on 08.09.2021 with the directions that the trial court completes the trial within 6 months. It was not a dismissal simpliciter as the directions had come after having heard the counsel at length. The learned counsel was therefore asked as to what new ground did he have in support of the bail application as non-compliance of a time frame given by the court

was hardly a ground for admitting the applicant to bail. Learned counsel while being unable to highlight any fresh ground showed his desire to once again re-agitate the grounds he had agitated when the earlier bail application was dismissed. This, the law does not permit.

4. The learned counsel failing to show the emergence of any new ground since the last bail dismissal order, has not made out a case for grant of bail. While dismissing the bail application the learned trial court is directed to use its best efforts for a quick disposal of the case.

JUDGE