

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-306 of 2023

Applicant: Zulfiqar Ali son of Siraj Ahmed @ Sirajuddin, through Mr. Zaffar Ali Laghari, Advocate.

Complainant: Muhammad Sultan son of Majnoon Khan in person.

Respondent: The State through Ms. Rameshan, Assistant Prosecutor General, Sindh.

Date of hearing: **14.04.2023**

Date of Order: **14.04.2023**

O R D E R

AMJAD ALI SAHITO, J:- Through the instant criminal bail application, the applicant above named seek his post-arrest bail in Crime No.36 of 2023, under sections 324, 337-H(ii), 337-A(i) (mentioned in FIR) 337-F(i), 504 and 34 P.P.C, registered at P.S Mangli District Sanghar, after his bail plea was declined by the learned IInd Additional Sessions Judge, Sanghar vide order dated 30.03.2023.

2. The details and particulars of the F.I.R. are already available in the bail application and crime report, same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. Learned counsel for the applicant submits that due to intervention of Nekmards of the locality the compromise has been effected between the parties outside the Court as the offence is compoundable. Lastly, he lastly prayed for grant of bail.

4. Complainant Muhammad Sultan present in person having CNIC No.44203-2813430-1 confirms the contentions raised by learned counsel for the applicant and submits that though the compromise has been effected between the parties, however after EID it will be taken place, hence he raised no objection for grant of bail.

5. Learned Assistant Prosecutor General, Sindh submits that all the offences in which the applicant is charged are compoundable, hence she also raised her no objection.

6. I have heard learned counsel for the parties and gone through the material available on the record.

7. Since the parties have settled their differences outside the Court whereupon the complainant raised his no objection for grant of bail to the applicant. Further, the case has been challaned and the custody of applicant is no more required so no purpose would be served to keep him in jail for indefinite period. In such circumstances, the learned counsel for the applicant/accused has made out a case for grant of post-arrest bail in view of subsection (2) of section 497 Cr.P.C, resultantly the instant bail application is allowed and the applicant/accused is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.30,000/- and P.R. bond in the like amount to the satisfaction of learned Trial Court.

8. Needless to mention here that the observations made hereinabove are tentative in nature would not influence the learned Trial Court while deciding the case of either party at trial.

JUDGE