

ORDER SHEET  
**IN THE HIGH COURT OF SINDH CIRCUIT COURT  
HYDERABAD**

Criminal Bail Application No.S-544 of 2023  
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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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For orders on office objection.  
For hearing of main case.

23-06-2023

Mian Taj Muhammad Keerio advocate for applicant.

Ms. Safa Hisbani A.P.G. Sindh.

**MUHAMMAD IQBAL KALHORO, J:** - Applicant along with two co-accused riding on a motorcycle was spotted in suspicious condition by police of PS Fort Hyderabad on 19.03.2023 near Tyre Market Tulsi Das Road Hyderabad, and called out. In response, he and his accomplices fired at police, in retaliatory firing he was injured, fell down from the motorcycle and arrested. However, co-accused, whose names he disclosed as Riaz Chandio and Shahzad Chandio, made their escape good. From his search, an unlicensed pistol was recovered. He was brought at PS where he was booked in present two cases and referred to hospital for treatment.

**2.** Learned counsel has argued that applicability of section 324 PPC needs further inquiry as no one from police party was injured in the incident and this is actually infamous case of half-fry in which applicant already arrested by the police was fired on his knee of right leg. Further, applicant is in jail and no more required for further investigation. Offense does not fall within prohibitory clause of section 497 (1) Cr.P.C.

**3.** On the other hand, learned A.P.G. has opposed bail to the applicant, however, admits that there is no criminal record of the applicant.

**4.** I have considered submissions. Applicability of section 324 PPC against applicant, when no one was from police party was injured or the vehicle they were travelling in was hit, requires further inquiry. The remaining offences do not fall within prohibitory clause under section 497 (i) CrPC. Applicant is not stated to be involved in any case of similar nature previously. As per statement of learned counsel, the injury on knee has rendered his leg motionless and he is not able to walk without support. The case has been challaned and

applicant is not required for further investigation. In these circumstances applicant has been able to make out a case for bail.

**5.** Accordingly, these applications are **allowed** and applicant is admitted to post arrest bail, subject to furnishing solvent surety in the sum of Rs.100,000.00 (Rupees one hundred thousand only) each and PR bond in the same amount, to be furnished to the satisfaction of trial Court.

**6.** The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

JUDGE

\*Abdullah Channa/PS\*