

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Criminal Bail Application No.S-1258 of 2022
Criminal Miscellaneous Application No.S-802 of 2022

<u>DATE</u>	<u>ORDER WITH SIGNATURE OF JUDGE</u>
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27.03.2023

Mr. Ameenuddin Khaskheli advocate for applicants along with applicants.

Mr. Sajjad Ali Gopang advocate for complainant.

Mr. Abdul Waheed Bijarani, APG.

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MUHAMMAD IQBAL KALHORO, J.- Applicants have been booked in Crime No.06/2022 of PS Ameenani registered on 20.09.2022 on the allegation of committing murder of brother of complainant namely Allah Dino with common intention of co-accused duly named in FIR. The role attributed to applicant Majid Ali is of instigation, whereas role of applicant Muqadas Ali is of having fired at the deceased.

2. Notwithstanding, it has been stated that parties have compromised, complainant and legal heirs of the deceased have granted pardon to the applicants and others and such applications along with affidavits have been filed before the trial court which is currently seized with fulfilling formalities of the compromise. Meanwhile, on the basis of compromise, co-accused Ameen who has been assigned on identical role to that of applicant Muqadas Ali has been granted bail by the trial court. A copy of the order has been placed on record. It is also stated that during investigation the applicants were declared innocent by the Investigating Officer and their names were placed on column No.2 but the Magistrate did not agree with the report and took cognizance of the offence against applicants. Citing all these grounds, counsel for the applicants and complainant both have prayed for bail which has not been opposed by learned Assistant Prosecutor General Sindh.

3. In the circumstances, ad-interim pre-arrest bail granted to the applicants vide order dated 21.11.2022 is hereby confirmed on the same terms and conditions. However, if for any reason, the compromise is not effected before the trial court, the complainant party and the prosecution would be at liberty to file an application

before this court for recalling the today's order. Accordingly, bail application is disposed of and in view of above learned counsel for the applicants does not press connected criminal miscellaneous application which is also disposed of as not pressed.

JUDGE

Ali Haider