

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Crl. Bail Application No. 206 of 2023

DATE

ORDER WITH SIGNATURE OF JUDGES

For hearing of bail application.

11-04-2023

Mr. Abdul Nadeem Shar, Advocate for applicant.
Mr. Talib Ali Memon, A.P.G.

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Omar Sial, J: Mohammad Salman has sought post arrest bail in crime number 788 of 2022 registered under sections 397 and 34 P.P.C. at the Brigade police station in Karachi. Earlier, his application seeking bail was dismissed on 06.01.2023 by the learned 11th Additional Sessions Judge, Karachi East.

2. A background to the case is that the aforementioned F.I.R. was registered on 18.12.2022 on the complaint of one Kailash Ahmed. Kailash reported that on 08.12.2022 while he was going to work he was intercepted by 2 boys on a motorcycle. On the show of weapons, Kailash was robbed of his valuables which also included an Ipad. Kailash, on his own traced the location of his Ipad and took the police to an address where the applicant was standing and told the police that he was the person who had stolen his valuables.

3. I have heard the learned counsel for the applicant as well as the learned APG. None effected an appearance for the complainant despite notice. My observations and findings are as follows.

4. Upon a tentative assessment the story narrated in the F.I.R. of how the complainant found the applicant appears to be absurd. The complainant did not report the incident till he himself had found the alleged culprit. Then too, he reported it to a police mobile which happened to be standing near the location and then took them to a house and had a person arrested. The complainant claims that he located the applicant

through a tracking software on his Ipad. It is yet to be seen if any I-pad, especially the one allegedly stolen from the complainant even had the ability and the requisite specifications to provide tracking functions. It is yet to be seen whether an I-pad has the ability to pin point the location where the device is with such accuracy which would enable a person to precisely reach where it is placed. Strangely enough, while Kailash claimed that he had found the applicant through a tracking software installed on his I-pad, the very I-pad was not recovered from him to date. Learned APG has been unable to provide any logical explanation. The case against the applicant is certainly one of further inquiry.

5. Above are the reasons for the short order dated 10-04-2023.

JUDGE