

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Crl. Bail Application No. 812 of 2022

DATE

ORDER WITH SIGNATURE OF JUDGES

For hearing of bail application.

19-04-2023

Mr. Shamshad Ali Qureshi, Advocate for applicant.
Mr. Faheem Hussain Panhwar, D.P.G. a/w PI Noor Alam, P.S.
Shahrah-e-Faisal.

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Omar Sial, J: Mohammad Hammad has sought post arrest bail in crime number 974 of 2022 registered under sections 353, 324, 186 and 34 P.P.C. at the Shahrah-e-Faisal police station in Karachi. Earlier, his application seeking bail was dismissed on 06.04.2023 by the learned 4th Additional Sessions Judge, Karachi East.

2. A background to the above mentioned F.I.R. is that the same was registered on 19.10.2022 on the complaint of A.S.I. Nadeem Sultan who reported an incident of earlier that day. He recorded that a police party led by him was on patrol duty when it saw a suspicious motorcycle with 2 persons on it. The motorcyclists did not stop when signaled to stop and instead opened fire on the police party. The applicant, along with another accused named Nasrullah were apprehended and apart from this case, separate cases under section 23(1)(a) of the Sindh Arms Act, 2013 were also registered against the applicant.

3. I have heard the counsel for the applicant and the DPG.

4. It is acknowledged by the learned APG that no policeman or State property including the police mobile in which the police party was travelling was hurt or damaged. I find it strange that while the applicant and his companion completely failed to hit a person or a substantially large police mobile in their alleged firing with the intent to kill all the police officers, at the end of the shoot-out both applicants were shot and injured in what seems to be a one sided encounter. The applicant was granted bail in the

case arising out of the alleged possession of an unlicensed weapon on 06.04.2023 by the learned 4th Additional Sessions Judge, Karachi East. In view of the foregoing, the case of the applicant becomes one of further inquiry.

5. The bail application is allowed and the applicant admitted to bail subject to his furnishing a solvent surety in the sum of Rs. 50,000 along with a P.R. Bond in the like amount to the satisfaction of the learned trial court. The parents of the applicant are present. They are extremely poor people however assure and undertake that they will pay more attention to the doings of their son and try their utmost that he does not bring any further disrepute the family.

JUDGE