

**ORDER SHEET**

IN THE HIGH COURT OF SINDH KARACHI

**CrI. Bail Application No. 1160 of 2023**

---

**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

---

For hearing of Bail Application

**18.10.2023:**

Mr. Muhammad Imran Associate of Mr. Munsif Jan Advocate  
along with Applicant Muhammad Siddiq (present on bail)

Mr. Muhammad Akram Advocate for the Complainant

Mr. Muhammad Iqbal Awan, Additional Prosecutor General for the  
State

.....

**Omar Sial, J:** Muhammad Siddiq has sought pre-arrest bail in crime number 113 of 2023, registered under sections 324, 354, 506-B, 337-A(i) and 34 P.P.C. at the Soldier Bazar police station. Earlier, his application seeking bail was dismissed on 27.05.2023 by the learned 4<sup>th</sup> Additional Sessions Judge, Karachi East.

2. The background to the case is that Complainant Mst Quratul Ain lodged the F.I.R. mentioned above on 28.03.2023. She reported that she is an Advocate by profession and residing in Belle View Tower, Block-F, Garden East, Karachi. Her mother namely, Haseena Bano, had filed Const. Petition No. D-1219/2023 against Belle View Society. On 28.03.2023 at about 2015 hours when she came out from the flat of her sister and entered into the lift of the building, one Mohsin Sulleman came there and asked her to withdraw the above Petition, on her refusal, Mohsin on the point of a black colour pistol extended threats to kill her. When complainant and Mohsin reached at ground floor and came out from lift suddenly one Ali along with 4/5 unknown persons reached there, they abused and maltreated her as a result she received injuries on her left arm and her wearing clothes were torn. In the meanwhile her senior Dur Muhammad Shah reached there and on his call on 15 police party also

reached there and on seeing police party, the accused persons ran away from there.

3. I have heard the learned counsels for the applicant and the learned Additional Prosecutor General who was assisted by the learned counsel for the complainant. My observations and findings are as follows.

4. The complainant and applicant both are residents of Belle View, Garden East where the incident took place wherein allegedly the complainant received injury on her left arm. The motive for causing injury is stated to be filing of a constitutional petition by the mother of the complainant against the society of Belle View. Learned counsel for the Applicant has annexed copy of Civil Suit No. 2534 of 2022 filed by the mother of the complainant which too was filed against Belle View Tower Society which is being contested by the Society, and contends that civil litigation between the parties are pending and complainant with malafide intention has involved the applicant in this crime.

5. Learned counsel for the applicant has further contended that co-accused Mohsin and Ali have already been granted bail by the learned trial court, therefore, the applicant is also entitled for concession of bail. The fact of grant of bail to co-accused has not been denied by learned counsel for the Complainant as well as the Learned Additional Prosecutor General. The allegations against co-accused Mohsin and Ali are that they on the point of pistol extended threats to the complainant, beaten and torn her clothes, however, they have been granted bail and the case of the applicant/accused is on better footing. He too is entitled to bail on grounds of consistency.

6. An offence under section 337-A(i) and 354 PPC are bailable whereas the commission of offence under sections 324 and 506-B P.P.C. are not obvious at the moment and will need to be proved at trial. The case of the applicant is thus one of further inquiry.

7. Given the above, the interim pre-arrest bail granted to the applicant is confirmed on the same terms and conditions.

**JUDGE**