

**IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS**

Crl. Bail Application No.80 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of main case.

25.10.2023

Mr. Sahir Ali Laghari, Advocate for the applicant a/w applicant.

Mr. Aziz Ahmed Laghari, Advocate for the complainant a/w complainant and injured.

Mr. Shahzad Saleem, Additional Prosecutor General Sindh.

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ORDER

Shamsuddin Abbasi, J.: Applicant Ghulam Sarwar seeks pre arrest bail through criminal bail application No.S-80/2023 in F.I.R No.48/2023 of PS Mirwah Gorchani for offence U/S 324 P.P.C, after dismissal of his bail plea vide order dated 26.09.2023.

Brief facts of the prosecution case are that on 12.09.2023 complainant Pervaiz Ali appeared at PS and lodged F.I.R alleging therein that the applicant caused fire arm injury to injured Jaffar (father of complainant) on his right thigh.

Mr. Aziz Ahmed Laghari files Vakalatnama on behalf of the complainant which is taken on record alongwith no objection extended by the complainant and injured for pre-arrest bail. The alleged offence is compoundable and the parties have entered into compromise outside of the court.

Learned Additional P.G has also recorded no objection for confirmation of bail.

Heard learned counsel and perused the material available on record.

The main section 324 P.P.C is compoundable and parties have settled their dispute outside of the court, therefore, in my humble view, bail in a compoundable offence on the ground of compromise is good ground for grant of bail in order to maintain peace, tranquility and harmony in the area and between the parties as held in cases reported in **2018 YLR 2501, 2019 MLD 125, 2003 MLD 1665**. Even the Supreme Court of Pakistan took judicial notice of a compromise in a case which was otherwise not compoundable and the petition for leave to appeal was converted into an appeal and same was accepted and sentence was reduced to the period which he had already been undergone in a case of Ghulam Ali v/s The state **1997 SCMR 1411**.

In view of above, interim pre-arrest bail of applicant Ghulam Sarwar is hereby confirmed on the same terms and conditions.

JUDGE

Faisal