

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Cr. Bail App. No. S – 59 of 2024

Date of hearing	Order with signature of Judge
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Hearing of bail application

1. For orders on office objections at Flag-A
2. For hearing of bail application

15.03.2024

Mr. Sheeraz Fazal, Advocate along with applicants.
Mr. Allah Wassayo Ujjan, Advocate along with complainant.
Mr. Aftab Ahmed Shar, Additional Prosecutor General along with
SIP/IO Imran Ali Tumrani of Police Station Kotdiji.

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Muhammad Iqbal Kalhoro, J. – Complainant has alleged in FIR that on 17.10.2023, applicants, duly armed with weapons, broke into his house at about 01:00 a.m. and kidnapped his daughter Tayaba. He complained to elites (*nek mards*) of the area, who assured him of getting his daughter returned, but then on 31.10.2023, his daughter returned to house on her own and alleged that applicant Zafar Ali had contracted marriage with her forcibly, and she, finding an opportunity, had escaped. After that FIR was registered on 02.11.2023.

2. IO is present, submits that in fact abductee had herself left house with Zafar Ali for marriage and contracted marriage with him in Quetta. But subsequently, when she returned to her father's house, she changed her mind and alleged abduction against the applicant and others. He further submits that she has not alleged commission of rape with her by applicant Zafar Ali or any other. Learned defense Counsel has cited these grounds for bail, opposed by learned Counsel for the complainant. However, learned Additional Prosecutor General submits that case of further enquiry is made out.

3. Admittedly, there is a delay of fifteen (15) days in registration of FIR, which was registered only after the alleged abductee returned to her father's house. In the investigation, some facts have surfaced, as quoted above, which make the case against the applicants to be of further enquiry. Accordingly, this application is **allowed**, and ad-interim pre-arrest bail already granted to applicants vide order dated 26.01.2024 is hereby **confirmed** on the same terms and conditions.

4. The observations, as above, are tentative in nature and not meant to affect merits of the case before the trial Court.

The bail application stands **disposed of** in the above terms.

J U D G E