

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appln No.2136 of 2022.

Date: Order with signature(s) of the Judge(s)

For Hearing of Bail Application.

09th December, 2022.

M/s. Farhan Zia Abrar and Ms. Shazia Manzoor Mughal advocate for the applicant.

Mr. Zahoor Shah, Addl. P. G. Sindh.

Mr. Zahid Farooq Mazari, AAG.

Applicant produced in custody by Inspector Muhammad Panah of Central Prison, Karachi.

Through instant bail application, applicant Adnan Shabbir son of Ghulam Shabbir seeks post arrest bail in Crime No. 285 of 2022, under Sections 365-B PPC R/w Section 371-A/371-B/376-B PPC, registered at P.S. Eidgah, Karachi.

2. Applicant/accused is present in court in custody categorically contends that he has not contracted marriage with Muskan [victim], who is present in court alongwith her mother, as well he contends that he arrived from Oman to contract marriage with Sonia and Nikahnama was signed in the City Court with Sonia and not with Muskan, and he is not in a position to identify victim. Besides, victim has not alleged any direct allegation with regard to commission of marriage or attempt of Zina committed by the Applicant though this is case of severe nature and yet Sub-section (2) of Section 9 of the Anti-Rape (Investigation and Trial) Ordinance 2020 JIT requires probe into the issue.

3. Accordingly, notices were issued to DAG since a minor girl aged about 14 years studying in class 10th was kidnapped and sold in three places. According to her statement in court she found fifteen [15] teenage girls in the house of Riffat, who is also nominated in present case. Accordingly, Federal Interior Ministry shall constitute JIT comprising of competent officers under the FIA Laws; besides, the JIT constituted by Home Department, Province of Sindh and they shall probe into the issue with regard to human trafficking particularly the minors and this is a

clear-cut case which shows that such gangs are operating without any interference and have not been curbed by the law enforcement agencies. In present case abductee herself escaped from the captivity of the accused persons and reached at her home thereafter, such FIR was lodged.

3. Under these circumstances, applicant is hereby admitted to post arrest bail subject to furnishing solvent surety in the sum of Rs.1,00,000/- [Rupees One Lac Only] and PR bond in the like amount to the satisfaction of the learned trial court.

4. Observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

5. Besides, SSP City who heading the JIT shall be in attendance on the next date with progress report as well as responsible officers of FIA shall also be in attendance alongwith progress report and investigation in present crime. Needless to mention that victim and her family shall not be harassed if any further investigation is required and female officer shall be deputed who shall record such statement at her residence while keeping dignity of family. Further name of victim shall not be flashed on print and electronic media.

6. Learned counsel for the applicant shall submit affidavit of Applicant, such affidavit shall be sworn in the verification branch of this court and Incharge Criminal Branch shall facilitate such verification.

In view of above, instant Cr. Bail Application is disposed of. Office shall fixed this matter for compliance on **09.01.2023, to be taken up at 11:00 a.m.**

JUDGE

M.Zeeshan