

IN THE HIGH COURT OF SINDH KARACHI

CR. BAIL APPLICATION NO.1881 OF 2025

Applicants : Muhammad Zeeshan & others,
through Mr. Naimatullah Shah
Advocate

Respondent : The State
through Ms. Rahat Ahsan,
Additional Prosecutor General

Date of hearing : 16th September 2025

Date of order : 20th September 2025

ORDER

Omar Sial, J.: Mohammad Zeeshan, Riaz and Allah Ditta seek pre-arrest bail in crime number 815 of 2025 registered under section 496-A P.P.C. and sections 2 and 3 of the Prevention of Trafficking Act, 2018, at the Surjani Town police station. The F.I.R. was registered on the complaint of Muhammad Usama. Usama recorded that he lives with his wife Amna and daughter Habiba. On 19.6.2025, he and Amna were going on a motorcycle when they were intercepted by Riaz and Allah Ditta sitting in a car, who stopped them, mistreated Amna and then abducted her. Amna. On her own returned home and recorded that the applicants had abducted her and confined her.

2. I have heard the counsel for the applicants and the Additional Prosecutor General. None appeared on behalf of the complainant in spite of the complainant being aware of these proceedings.

3. The origins of this case are in a family saga. Farhana, a niece of one of the applicants, eloped with Hasan (the complainant's brother), which upset her family. The family lodged F.I.R. No. 606 of 2025 alleging that Hasan had abducted her. Farhana, at some point in time, recorded a statement that she had not been kidnapped and that she had married Hasan of her own free will. Upon a tentative assessment, it seems that Hasan's family lodged an F.I.R. claiming that the applicants had kidnapped Amna. The bad blood between the parties does not eliminate malafide at this preliminary stage.

4. The only evidence available at this stage is a statement of Amna. The statement at this point does not sound confidence-inspiring and the facts of the case require further inquiry. The prosecution has failed to produce any medical evidence at this stage. Upon a tentative assessment, no evidence seems to have been collected to satisfy the ingredients of section 3 of the Prevention of Trafficking Act, 2018. Reliance on section 2 of the Act is misplaced as section 2 contains definitions.

5. The case of the applicants is one of further inquiry. The interim bail granted earlier is confirmed on the same terms and conditions.

6. The above are the reasons of short order dated 16.09.2025.

JUDGE