

## IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Bail Appln. No. S-382 of 2025

Applicant : Najaf Ali son of Ghulam Asghar, Janwri,  
Through Mr. Sohail Ahmed Khoso, Advocate

Complainant : Abdul Ghafoor son of Khuda Bux, Rind  
Through Mr. Waqar Ali Phulpoto advocate.

The State : Through Mr. Zulfiqar Ali Jatoi, Addl. P.G

Date of hearing : 06.10.2025  
Dated of order 06.10.2025

### **ORDER**

**KHALID HUSSAIN SHAHANI, J.—** The applicant Najaf Ali seeks confirmation of the ad-interim pre-arrest bail already granted by this Court on 09.05.2025 in Crime No.27/2025, for offences under sections 302 and 34 of PPC, registered at Police Station Airport Sukkur.

2. The FIR registered on the complaint of Abdul Ghafoor Rind narrates that on 16.03.2025, at about 10:00 a.m., the applicant, along with co-accused Syed Iqbal Shah and other unknown individuals, allegedly fired at Khuda Bux near City Point Wagon Stand Saeedabad, causing a firearm injury to his right thigh, which proved fatal. Based on these allegations, the instant FIR was lodged.

3. Counsel for the applicant vehemently contends that the applicant is innocent and has been falsely implicated in this case. It is emphasized that the applicant, a clerk, along with co-accused Syed Iqbal Shah, was involved due to an alleged refusal to prepare pension documents for the deceased; no direct evidence links the applicant to the actual commission of the offence. Notably, the complainant himself has submitted an affidavit before this Court expressing no objection to the confirmation of the interim pre-arrest bail, explaining that a private settlement (*faisla*) has been reached between the parties, and all grievances against the applicant and the co-accused have been amicably resolved.

4. Learned Additional Prosecutor General of Sindh, assisted by counsel for the complainant, has acknowledged the submissions made on behalf of the applicant after consultation with the complainant.

5. A close scrutiny of the FIR reveals that the injury inflicted by the applicant was to a non-vital part of the body (right thigh). Further, the Court's inquiry into the matter and the affidavit filed by the complainant confirm that the genesis of this dispute lies in administrative grievances regarding pension documentation rather than any direct involvement in the homicidal act. The investigating officer, following routine investigation, placed the applicant's name in column No. II of the challan submitted before the learned Magistrate. It is pertinent to note that the Magistrate has not passed any order on the report to date.

6. In light of these circumstances, including the ambiguous role ascribed to the applicant, his placement in column No.II of the challan, and the complainant's no-objection affidavit, the applicant has established a prima facie case for further inquiry as contemplated under section 497(2) Cr.P.C. Therefore, the interim pre-arrest bail granted earlier is hereby confirmed on the same terms and conditions.

7. The applicant is directed to cooperate fully with the investigation and trial as they proceed.

**J U D G E**