

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.3578 of 2025

Applicant : Ahsanul Haq son of Muhammad Faraz Khan through Mr. Abdul Wali, Advocate

Complainant : Salman Khan son of Muhammad Ismail, through Jahanzeb Khan, Advocate

Respondent : The State
Through Mr. Tahir Hussain, APG, Sindh.

Date of hearing : 04.02.2026

Date of order : 04.02.2026

ORDER

AMJAD ALI SAHITO, J -- Through this Bail Application, the applicant/accused seeks post-arrest bail in Crime No.694 of 2025 registered under Sections 324, 34 PPC at Police Station Manghopir, Karachi, after his bail plea has been declined by the learned Additional Sessions Judge-XII, Karachi-West, vide order dated 11.12.2025.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Per Learned counsel for the applicant, the applicant is innocent and has been falsely implicated in this case by the complainant; that from the face of the FIR, enmity exists between the parties; hence, false implication cannot be ruled out. He contends that the offence with which the applicant/accused is charged does not fall within the prohibitory clause, as the punishment provided under Section 337-F(ii), PPC, is only three years, which is yet to be determined after trial. He further submits that Section 324,

PPC, would be applicable, if at all, only after the recording of evidence. Learned counsel further submits that the applicant/accused is in judicial and is no longer required for further investigation. Lastly, he prays for the grant of post-arrest bail.

4. On the other hand, learned counsel appearing on behalf of the complainant vehemently opposed for grant of bail and submits that the accused is a habitual offender and is involved in various cases. He further submitted that Section 324 PPC, is very much applicable in this case, therefore, the accused is not entitled to the concession of bail. Learned Additional Prosecutor General, Sindh, also adopted the arguments advanced by learned counsel for the complainant

5. Arguments heard and record perused

6. From the perusal of the record, it transpires that a dispute existed between the parties relating to monetary matters and certain domestic affairs. On the day of the incident, when the complainant party demanded the return of their money from the applicant, a heated exchange of words ensued between the parties. During the said altercation, the applicant/accused allegedly fired upon the injured Salman Khan, causing an injury to his right leg.

7. The injury, as declared by the medical officer, falls under section 337-F(ii) of the Pakistan Penal Code, which is punishable with imprisonment extending up to three years. However, it is yet to be determined, at the time of recording of evidence before the learned trial Court, whether the offence under section 324 PPC is attracted to the facts of the present case or not.

8. The applicant/accused is presently in judicial custody and is no longer required for further investigation. His continued detention would not serve any useful purpose nor would it advance the case of the prosecution. Learned counsel for the applicant has also pleaded previous enmity with the complainant party. In these circumstances, the learned

counsel for the applicant/accused has been able to make out a case for grant of bail within the meaning of subsection (2) of section 497 Cr.P.C.

9. In view of the foregoing, the instant Criminal Bail Application is allowed, and the applicant/accused is admitted to bail subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) along with a personal recognizance bond in the like amount to the satisfaction of the learned trial Court.

10. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant on merit.

JUDGE

Hyder/PS