

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.1928 of 2025

Applicants : (i) Muhammad Naeem Khan S/o
Zareen Muhammad Khan
(ii) Sheryar Khan S/o Muhammad
Naeem Khan
(iii) Sabih S/o Naeem Khan
through M/s. Salahuddin Khan Gandapur &
Safiruddin Khan Gandapur, Advocates

Respondent : The State
through Ms. Rubina Qadir, Addl. P.G.

For Complainant:
through Mr. Zahid Hussain Legahri, Advocate

Date of hearing : 04.02.2026

Date of order : 04.02.2026

ORDER

AMJAD ALI SAHITO, J -- Through this Bail Application, applicants/accused seek pre-arrest bail in Crime No.217/2025 for the offence under Sections 337-L(ii), 337-F(i), 506-B, 34 PPC at PS Madina Colony, after their bail plea has been declined by learned Additional District & Sessions Judge-XI, Karachi West vide order dated 22.07.2025.

2. The details and particulars of the FIR are already available in the bail application as well as memo of FIR, therefore, the same need not to be reproduced.

3. Per learned counsel for the applicants, applicants are innocent and have falsely been implicated in this case; that no specific role has been assigned against the applicants in the FIR; that one witness has been examined before the trial Court; that the applicants are attending the Court and are no more required for further investigation, as such, applicants are entitled for confirmation of their bail.

4. On the other hand, learned Addl. P.G. so also learned counsel for the complainant has vehemently opposed for confirmation of bail.

5. Heard the parties and perused the material available on record.

6. From perusal of record, it reflects that complainant recorded his statement U/s 154 Cr.P.C. stating therein that he is a resident of House No.950 Mohalla Saeedabad Baldia Town, Karachi and by profession, he is a crime reporter. Due to business dispute over profit, the complainant demanded his money back from one Zareen Khan, to which his son Naeem Khan and grandsons Sharyar and Sabih/present applicants started issuing threats of dire consequences so also beaten him. As such, he received multiple injuries on his body. However, from perusal of FIR, the offences in which the applicants have been booked do not fall within the prohibitory clause of Section 497 Cr.P.C.

7. Further, grant of bail is rule and refusal is exception; however, no exception has been pleaded by learned counsel for the complainant. The applicants are attending the Court and have not misused the concession of bail. Charge has been framed one witness has been examined; as such, reliance is placed in the case of **Rehmatullah v. The State (2011 SCMR 1332)** wherein the Hon'ble Supreme Court of Pakistan has held that the courts should not grant or cancel bail when the trial is in progress and proper course for the courts in such a situation would be to direct the learned trial Court to conclude the trial of the case within a specified period. At bail stage, only tentative assessment is to be made and deeper appreciation of the evidence is not permissible.

8. In view of the above, learned counsel for the applicants has made out a case for grant of bail in terms of subsection 2 of section 497 Cr.P.C. Resultantly, the instant bail application is **allowed**. The interim pre-arrest bail granted to the applicants/accused vide order dated 25.07.2025 is hereby confirmed on same terms and conditions.

9. 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 applicants/accused on merits.

JUDGE