

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No. 3409 of 2025

Applicant : Muhammad Adil son of Muhammad Ashraf
through Mr. Ali Ahmed Chandio, Advocate

Respondent : The State through Ms. Rubina Qadir
Additional Prosecutor General Sindh

Date of hearing : 13.02.2026

Date of order : 13.02.2026

ORDER

TASNEEM SULTANA, J.— Through this Criminal Bail Application, the applicant Muhammad Adil seeks post-arrest bail in Crime No. 906 of 2025 registered at Police Station Zaman Town for the offences punishable under Sections 324/34 R/W 337-F(ii) PPC. Having been rejected his earlier bail application No.5357 of 2025 by the learned Vth Additional Sessions Judge/MCTC Karachi East, vide order dated 22.11.2025, hence this bail application for same concession.

2. Brief facts of the prosecution case, are that complainant Syed Amjad Ali stated that on 21-07-2025 at about 2310 hours he was present at his house situated at Sector 50/A, Korangi No.4, Karachi, when Muhammad Adil, Zubair, Faisal, Zaid, Reema, Seema and Zobia, who were acquaintances and relatives of his former wife, came to his house; that they dragged him out of the house; that three persons including Adil, Zubair and Khalil were armed with knives while the others were carrying sticks; that with intention to kill they attacked him with knives and sticks; that knife blows landed near his shoulder and arm while stick blows caused bleeding and internal injuries; that he fell unconscious; that neighbours called Chhipa Ambulance which shifted him to Police Station Zaman Town from where he was referred to hospital. Hence this FIR was lodged.

3. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated due to matrimonial and family dispute; that the allegations are general in nature; that no specific injury has been attributed to the present applicant; that no recovery of weapon has been effected from his possession; that the prosecution has failed to associate any independent private witness despite the alleged occurrence

having taken place in a residential locality; that investigation has been completed and challan submitted; that further incarceration of the applicant would serve no useful purpose; and that the case, at the most, calls for further inquiry.

4. Conversely, learned Addl. P. G. opposed the grant of bail; submits that the applicant is nominated in the FIR with specific role; that he was armed with knife and participated in the assault; that the complainant sustained injuries; that statements of witnesses under Section 161 Cr.P.C. support the prosecution version; therefore, the applicant is not entitled to the concession of bail.

5. Heard. Record perused.

6. Tentative assessment of the material placed on record reflects that the occurrence admittedly arises out of domestic discord relating to the complainant's former wife and her relatives, thereby furnishing a background requiring cautious appreciation of the prosecution version at trial. The role attributed to the present applicant, though nominative, is not distinguishable from that of co-accused except general allegation of participation; no specific repetition of knife blows has been attributed to him individually.

7. It further emerges from the medico-legal certificate issued by Jinnah Post Graduate Medical Centre, Karachi that the injuries sustained by the complainant have been opined to be simple in nature; no fracture has been seen or observed in the radiology report. The medical evidence, therefore, at this stage does not prima facie correspond with the penal severity attracting Section 324 PPC and calls for deeper appreciation after recording of evidence.

8. Admittedly, no weapon alleged to have been used in the commission of offence has been recovered from the possession of the present applicant; the prosecution case primarily rests upon ocular account; investigation has been completed and challan submitted; thus, further incarceration of the applicant would not serve any useful purpose.

9. In these circumstances, the case appears to fall within the ambit of further inquiry, and it is well-settled that where reasonable doubt arises, the accused is entitled to the concession of bail as a matter of right and not as a matter of grace. Reliance is placed on case of **Tarique Bashir vs. The State (PLD 1995 SC 34)**.

10. In the tentative assessment of this Court, the cumulative effect of the circumstances discussed hereinabove brings the case within the ambit of further inquiry as contemplated under Section 497(2) Cr. P.C., entitling the applicant to the concession of bail. Accordingly, the applicant Muhammad Adil son of Muhammad Ashraf is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) and P.R bond in the like amount to the satisfaction of the learned trial Court.

11. Needless to observe that the observations made herein are tentative in nature and shall not affect the merits of the case at trial.

JUDGE

Nadeem