

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Application No.2206 of 2025
(Naseemullah Niazi Vs. The State)

Present:

Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Khalid Hussain Shahani

07.04.2026

Mr. Nadeem Ahmed Azar, advocate a/w applicant
Mr. Ali Haider Saleem, Addl: PG Sindh

ORDER

MUHAMMAD IQBAL KALHORO J: Applicant is seeking pre arrest bail in Crime No.470/2024, u/s 365, 34 PPC r/w section 365-A, 427 r/w section 7 ATA, registered at Police Station Gizri, Karachi. He is present on ad-interim pre arrest bail granted to him vide order dated 28.08.2025, and today matter is fixed for confirmation or otherwise.

2. As per facts, allegedly father of complainant, namely, Ahmed Waseem was abducted on 28.09.2024 from Main Khayaban-e-Sahar, Bilal Masjid by unknown accused persons, the report of which was lodged by the complainant on the same day at about 1400 hours. After four days of the incident, the complainant informed the police that his father had returned home. He was produced before the learned Magistrate, where his statement u/s 164 Cr.PC was recorded in which he implicated Noorul-Ain-Qazi and further stated that in the car, which was used in abduction was driven by a person being called as Naeemullah Niazi, the applicant.

3. On the basis of such statement, Noorul-Ain-Qazi -was arrested along with his wife to be the culprits of the case but during investigation the wife was found innocent and exonerated, while Noorul-Ain-Qazi was arraigned accordingly. However, he has been granted post-arrest bail on 30.04.2024. Applicant's bail has been rejected by the trial Court on the ground that the offence is heinous one and there are allegations of demand of ransom from the complainant.

4. Learned counsel for the applicant has pleaded for confirmation of bail on the ground that the main accused has already been granted post-arrest bail and this case appears to be case of personal enmity between the parties, as Noorul-Ain-Qazi is a relative of the complainant party.

5. Learned Addl: PG Sindh has opposed the bail stating that abductee has implicated the applicant.

6. Be that as it may, we have seen that main accused has been granted post-arrest bail, and it will not serve any purpose to reject pre-arrest bail application of the applicant and remand him in the custody and then grant him bail. Even otherwise, the role attributed to the applicant driving the car used in abduction requires further inquiry, and more so, the circumstances under which the complainant's father returned on his own need to be tested in the trial to prove the same. In view thereof, the bail application is allowed and ad-interim pre-arrest bail granted to the applicant vide order dated 28.08.2025 is hereby confirmed on same terms and conditions.

7. Needless to mention that the observations made herein above are tentative in nature and would not prejudice case of either party at trial. The bail application is disposed of in the above terms.

J U D G E

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Rafiq/P.A.