

IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD.

Criminal Bail application No.S-1224 of 2025

Applicant : Muhammad Haneef s/o Muhammad Ramzan
through Mr. Abdul Hameed Bajwa, advocate.

Respondent : The State, through Ms. Rameshan Oad,
Assistant Prosecutor General, Sindh.

Complainant : Muhammad Ashraf s/o Muhammad Qasim
through Mr. G.M. Leghari, advocate.

Criminal Bail application No.S-1347 of 2025

Applicant : Noor Muhammad alias Nooro s/o Qaim Khan
@ Qaim through Mr. G.M. Leghari, advocate.

Respondent : The State; through Ms. Rameshan Oad,
Assistant Prosecutor General, Sindh.

Complainant : Muhammad Haneef s/o Muhammad Ramzan
through Mr. Abdul Hameed Bajwa, advocate.

Date of hearing : 08.01.2026
Date of order : 08.01.2026

ORDER

TASNEEM SULTANA, J.- Through Criminal Bail Application No. S-1224/2025, the applicant Muhammad Haneef seeks post-arrest bail in Crime No. 75/2025, registered at Police Station Khoski, under Sections 506, 337-F(i), 337-F(v), 504, and 34 PPC, after his earlier bail application was declined by the learned Additional Sessions Judge-II, Badin, vide order dated 17.09.2025. Whereas, through the Criminal Bail Application No.S-1347/2025, the applicant Noor Muhammad alias Nooro seeks pre-arrest bail in Crime No. 76/2025, registered at Police Station Khoski, under Sections 337-F(ii), 506, 504, and 34 PPC, after his bail application was declined by the learned Additional Sessions Judge-II, Badin, vide order dated 17.09.2025.

2. It may be mentioned here that both the FIRs are result of counter version, therefore, both are being decided through this common order.
3. Brief facts of Crime No.75 of 2025 are that complainant Muhammad Ashraf lodged FIR with the allegation that he has a longstanding dispute over a plot with

Ghulam Shabir Chandio and others, who have been threatening him to vacate the plot. On 01.07.2025 at about 09:30 a.m., when his son Ali Gul was returning home, the accused, Ghulam Shabir and Parvez armed with hatchets, Muhammad Hanif armed with an iron rod, and Muhammad Hashim armed with a lathi, assaulted Ali Gul. Muhammad Hanif struck Ali Gul on his right arm with an iron rod, while Muhammad Hashim caused lathi blows on his back and other parts of the body, causing him to fall down.

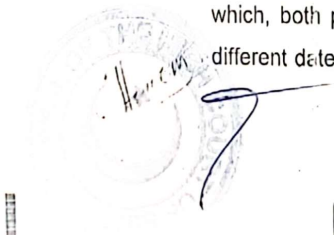
4. The brief facts of Crime No.76 of 2025 are that the complainant Muhammad Hanif lodged FIR with the allegation that the accused, namely Ashraf, Ghulam Rasool, and Noor Muhammad alias Nooro, all sons of Qaim, and Ahsan s/o Allah Dad, are his close relatives. They used to graze their sheep and goats on his land despite repeated objections. On 12.07.2025 at about 02:00 p.m., when the complainant, along with his brother Yousuf, nephew Abdul Rasheed, cousin Muhammad Umar, was going towards Shadi Large City from Khoski Sugar Mills, the accused obstructed them. Upon questioning the accused about grazing cattle on the complainant's land, they became annoyed and started quarrelling. Accused Noor Muhammad alias Nooro assaulted Abdul Rasheed with a knife on his lower abdomen. When Muhammad Umar intervened, Noor Muhammad alias Nooro inflicted a knife blow on his back, while the other accused caused lathi blows to the complainant and others. The accused hurled abuses, extended threats of dire consequences, and fled away.

5. The learned counsel for the parties leveled allegations and counter-allegations against each other, as the subject FIRs arise out of counter versions of the parties. However, after arguing at some length, Mr. Abdul Hameed Bajwa, Advocate for the complainant Muhammad Hanif, raised no objection to the confirmation of ad-interim pre-arrest bail of the applicant, Noor Muhammad alias Nooro. Consequently, the learned Assistant Prosecutor General also extended her no objection to the said extent.

6. Heard the arguments of parties and perused the material available on record.

7. It is a well-settled principle of law that at the stage of bail the Court is not to undertake a deeper appreciation of evidence, but only a tentative assessment of the available material to determine whether a prima facie case for grant of bail is made out. Keeping this principle in view, the record has been examined.

8. It is an admitted position that there is dispute between the parties over a plot and there are counter cases lodged by both the parties against each other, in which, both parties have also sustained injuries during fight with each other on different dates, therefore, it cannot safely be said at this stage that which party is



aggressor and which party was aggressed upon, this aspect of the case will be thrashed out after recording evidence of both the parties before the trial Court.

9. Perusal of record shows that all the injuries appear to be punishable upto 05 years and do not fall within the prohibitory clause of Section 497 Cr.P.C. Hon'ble Supreme Court of Pakistan in the case of *Muhammad Tanveer versus The State and another (PLD 2017 SC 733)*, has held as under:-

"In cases of this nature, not falling within the prohibition contained in section 497, Cr.P.C., invariably grant of bail is refused on flimsy grounds. This practice should come to an end because the public, particularly accused persons charged for such offences are unnecessarily burdened with extra expenditure and this Court is heavily taxed because leave petitions in hundreds are piling up in this Court and the diary of the Court is congested with such like petitions."

10. Furthermore, in Criminal Bail Application No. S-1347 of 2025, Mr. Abdul Hameed Bajwa, Advocate for the complainant Muhammad Hanif, raised no objection to the confirmation of ad-interim pre-arrest bail of the applicant, Noor Muhammad alias Nooro. Likewise, the learned Assistant Prosecutor General also extended her no objection to the said extent. Whereas, in Criminal Bail Application No. S-1224 of 2025, the FIR was lodged after a delay of 58 days from the date of the incident, for which no plausible explanation has been furnished. Thus, both matters squarely fall within the ambit of further inquiry.

11. The above facts and circumstances, led me to hold that both the parties, having cases of counter version, successfully made out the cases for further inquiry. Accordingly, both the bail applications are allowed and consequent thereto, a accused/applicant Muhammad Haneef is admitted to bail, subject to furnishing solvent surety in the sum of Rs.50,000/- and P.R. Bond in the like amount to the satisfaction of the trial Court. Similarly, the interim pre-arrest bail granted to the applicant/ accused Noor Muhammad alias Nooro by this Court vide order dated 04.11.2025 is also confirmed on the same terms and conditions.

12. Needless to mention that observations made hereinabove are tentative and shall not prejudice the learned Trial Court at the stage of trial,

CERTIFIED TRUE COPY

19/11/2025
(SHIYAMA)
Assistant Registrar
High Court of Sindh,
Circuit Court, Hyderabad.

Sd/-MRS TASNEEM SULTANA
JUDGE.

