

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Criminal Bail Application No. S-328 of 2026

Criminal Bail Application No. S-330 of 2026

Applicant : Through Mr. Shakeel Ahmed G. Ansari,
Khabar Janghwani son of Advocate
Allah Dino Janghwani
in Cr. B.A. No. S-328 of 2026

Applicant : Through Mr. Shakeel Ahmed G. Ansari,
Wahid Bux @ Qaderi son of Advocate
Allah Dino Janghwani
in Cr. B.A. No. S-330 of 2026

The State : Through Mr. Aitbar Ali Bullo,
Deputy Prosecutor General, Sindh.

Complainant : Present in person.
Mst. Sehat Khatoon W/o
Shahdost Janghwani

Date of Hearing : 10.08.2026

Date of Order : 10.08.2026

ORDER

Riazat Ali Sahar, J.- Through this common order, I intend to dispose of the above two bail applications, as both the applicants have approached this Court in the same crime arising out of the same occurrence; wherein applicant/accused Khabar Jhanghwani seeks pre-arrest bail, whereas applicant/accused Wahid Bux @ Qaderi seeks post-arrest bail. Their applications for such relief were declined by the learned trial Court vide orders dated 22.06.2026 and 30.06.2026 respectively.

2. The facts of the case are already mentioned in the memos of bail application and the impugned orders, therefore, there is no need to reproduce the same. Reliance is placed upon **PLD 2014 SC 458**.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated due to previous dispute between the parties regarding agricultural land. He further submits that there is delay of about nine hours in lodgment of the FIR, no independent witness has been cited and the applicants have set up a counter-version of the occurrence. It is further contended that proceedings under Sections 22-A & 22-B Cr.P.C. were initiated from the accused side and the same were allowed by the learned Court concerned. Learned counsel has also pointed out certain discrepancies regarding the injuries allegedly sustained by injured Shah Dost. He further submits that the offences under Sections 337-A(i) PPC is bailable and 337-F(iii) PPC requires 03 years punishment, whereas applicability of Section 324 PPC requires further inquiry. Lastly, he submits that investigation has been completed and challan has already been submitted before the learned trial Court; therefore, the case of the applicants falls within the ambit of further inquiry as contemplated under Section 497(2) Cr.P.C.

4. On the other hand, learned Deputy P.G, Sindh, assisted by the complainant in person, opposes the applications on the ground that specific roles have been attributed to the applicants and the ocular account is supported by medical evidence, therefore, they do deserve the concession of bail.

5. I have heard the learned counsel for the parties and perused the record.

6. Perusal of the FIR shows that applicant Khabar Jhanghwani is alleged to have caused an axe blow to injured Shah Dost, whereas, the role of instigating co-accused as well as firing at Shah Dost is assigned to applicant Wahid Bux @ Qaderi. The offence under Section 337-A(i) PPC, attributed to applicant/accused Khabar is bailable, whereas, Section 337-F(iii) PPC, attributed to applicant/accused Wahid Bux @ Qaderi requires 03 years punishment under the law. The case of absconding co-accused Yousuf, who is attributed the injury under Section 337-F(vi) PPC, is distinguishable from the case of present applicants/accused. However, Section 324, PPC has also been

incorporated in the FIR. At this stage, the applicability of Section 324 PPC against the applicants, in view of the nature of the injuries, rival versions and other circumstances appearing on record, requires further inquiry.

7. It is also noticeable that the parties are inimical to each other on account of a dispute regarding agricultural land. The defence has brought on record a counter-version of the occurrence through an application under Sections 22-A & 22-B Cr.P.C. initiated from the accused side. There is also a delay of about nine hours in lodgment of the FIR and certain discrepancies have been pointed out regarding the injuries. These circumstances, when considered collectively, make the case of the applicants as one of further inquiry within the meaning of Section 497(2) Cr.P.C.

8. So far as applicant Khabar Jhanghwani is concerned, although a specific role of causing an axe blow has been attributed to him, his case, in view of the nature of the injury allegedly caused by him coupled with the other circumstances discussed above, calls for further inquiry. The same is also the position of applicant Wahid Bux @ Qaderi, against whom the allegation of instigation and firing at PW Shah Dost has been made. At this stage, the rival versions and the evidence available on record cannot be subjected to deeper appreciation. In view of the above, both the applicants have made out a case for grant of bail.

9. Consequently, Criminal Bail Application No. S-328 of 2026 filed by applicant/accused Khabar Jhanghwani is allowed. The interim pre-arrest bail already granted to him by this Court on 07.07.2026 is hereby confirmed on the same terms and conditions. Likewise, Criminal Bail Application No. S-330 of 2026 filed by applicant/accused Wahid Bux @ Qaderi is also allowed. He is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand) with P.R. bond in the like amount to the satisfaction of the learned trial Court.

10. The observations made hereinabove are tentative in nature and shall not influence the learned trial Court while deciding the case on merits.

Both the bail applications stand disposed of accordingly.

JUDGE

Zulfiqar