

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Criminal Bail Application No.S-233 of 2026  
(Altaf Hussain and Sajjad Ali @ Sajjad Hussain versus The State)

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection
2. For hearing of main case

**04.05.2026**

Mr. Ghulam Mustafa Burdi, Advocate along with applicants on interim pre-arrest bail.  
Mr. Saeed Ahmed Janwari, Advocate for complainant  
Ms. Sana Memon, Assistant Prosecutor General

Crime No.16 of 2026  
P.S. Daur  
u/s 324, 337-A(ii), 337-F(iv), 506/2,  
114, 427, 504, 34 PPC.

**ORDER**

**Adnan Iqbal Chaudhry, J.** - The Applicants, Altaf Hussain (Applicant No.1) and Sajjad Ali @ Sajjad Hussain (Applicant No.2) pray for pre-arrest bail in the aforesaid crime after the same has been denied by the Additional Sessions Judge-II, Shaheed Benazirabad by order dated 19.02.2026.

2. Heard learned counsel and perused the record.

3. In the FIR, registered on 28.01.2026, the Informant Abdul Hameed reported that he and his brothers Rasheed and Basheer were confronted by the Applicants and the co-accused Ghulam Abbas on 21.12.2025 when the former tried to stop them from cutting trees on their land. It was stated that the parties were already in dispute over said land. It was alleged that co-accused Ghulam Abbas was armed with a hatchet, whereas the Applicants were armed with iron rods; that upon the instigation of said co-accused, Applicants attacked Rasheed with the iron rods, the Applicant No.1 hitting him on the head and the Applicant No.2 hitting him on the hand.

4. The first submission by learned counsel for the Applicants is that the FIR was delayed by 37 days or so. However, that aspect has been adverted to by the trial Court, noting that the incident was reported at the police station promptly and a letter for treatment of injuries was issued the same day, but then the police refused to

register an FIR until orders passed by the Ex-Officio Justice of Peace under section 22-A Cr.P.C. Therefore, the argument of delay has no force.

5. The Final Medico Legal Report classifies the injuries of Rasheed under sections 337-A(ii) and 337-F(iv) PPC, both non-bailable offences carrying imprisonment of 5 years.

6. Though the co-accused Ghulam Abbas was granted pre-arrest bail by the trial Court, the role assigned to him in the FIR was of instigation, whereas the Applicants were assigned a specific role in the FIR of inflicting injuries upon Rasheed. Therefore, the pre-arrest bail granted to Ghulam Abbas does not help the Applicants.

7. In view of the foregoing, it does not appear that the FIR was lodged with *malafides*. Resultantly, pre-arrest bail is denied to the Applicants. Application is dismissed.

Needless to state that observations herein are tentative, and shall not be construed to prejudice the case of either side at trial.

JUDGE

Ali Haider