

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-378 of 2026

[Salman Khan vs. The State]

Applicant by : Mr. Shahzaib Samoo advocate
Complainant by : Mr. Imam Bakhsh Kunbher advocate
a/w complainant
State by : Mr. Altaf Hussain Khokhar D.P.G a/w
SIP Abdul Karim Dahri
Date of Hearing : **11.05.2026**
Date of Decision : **11.05.2026**

ORDER

SYED FIAZ-UL-HASSAN SHAH, J:- Applicant has been booked in Crime No.52 of 2026 registered under Section 452, 506/2 and 509 PPC at P.S Hala New on the allegation by the complainant that she is house working lady and on 10.03.2026 at about 10:00 pm applicant/accused entered into her house and inquired about her minor son Ali Shan aged 10 years, on which her another son Shafqat Hussain intervened and reminded him that in view of the fesla held by notables he should not entered in the house, on which applicant/accused annoyed and taken knife from the fold of his shalwar and started shouting loudly and issued threats.

2. Learned counsel for the applicant contends that complainant and applicant are co-relatives and there is dispute on some shop in the same vicinity. He draws my attention towards application dated 03.12.2024, annexed with his statement dated 04.05.2026, and submits that same was filed by another son of complainant namely Farhan Ali before the police on the same allegation that the applicant/accused entered into the house and beaten him with lathi and abused him. He also contends that allegation against the applicant/accused is general in nature, however, he

is in incarceration since last two months although the offence does not fall within prohibitory clause.

3. On the other hand learned counsel for the complainant states that complainant is a poor house working lady and there is no dispute on shop rather the applicant/accused is taking shelter by creating confusion that there is civil dispute between the parties. He further states that applicant/accused is nominated in FIR with specific role of entering into the house with sharp knife and wanted illicit relationship with 10 years son of the complainant, therefore, he is not entitled for concession of bail.

4. Learned Deputy Prosecutor General also supported the version of the complainant and added that no ground of previous dispute over property is mentioned in memo of bail application.

5. Heard learned counsel for the parties and perused the material available on record.

6. It is admitted fact that parties are close relatives and the dispute over property, as claimed, has not been brought through some substantive record and even it did not find mention in memo of bail application. However, record reflects that son of the complainant had earlier filed an application with the same allegation that the applicant/accused entered into their house and beaten complainant's son namely Farhan and also abused him. It is also fact on record that no crime weapon i.e sharp knife has recovered from the applicant/accused nor any witness has come forward from the locality of village to confirm with regard to loudly shouting of the complainant party due to assault by the applicant as alleged. Further, the offence alleged does not fall within the prohibitory clause of Section 497 Cr.P.C coupled with the fact that challan has already been submitted and applicant/accused is not required

for further inquiry and in such circumstances grant of bail is rule while refusal is exception.

7. In view of the above, applicant/accused has successfully made out a case for further inquiry. Accordingly, instant bail application is allowed and in consequence whereof applicant/accused is admitted to post arrest bail in present crime, subject to furnishing a solvent surety in the sum of Rs.50,000/- and P.R Bond in the like amount to the satisfaction of trial Court. However, applicant is directed to attend the trial regularly and in case of misuse of bail, the trial Court shall be competent to act in accordance with law without making any reference to this Court.

8. The trial Court shall not influence with the observations made hereinabove and decide the case on its own merits.

JUDGE