

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

Criminal Bail Application No.S- 597 of 2026

Date of hearing: 16.09.2026.

Date of order: 16.09.2026.

Mr. Ali Nawaz Chandio, Advocate for applicants along with applicants (on bail).

Mr. Altaf Khokhar, D.P.G for State.

Complaint present in person.

ORDER

ABDUL MOBEEN LAKHO, J.- Applicants/accused 1. Allauddin, 2. Muhammad Ramzan @ Ramzan, 3. Soomar, 4. Ghulam Hyder, 5. Habib, 6. Sikandar and 7. Bilawal seek pre-arrest bail in Crime No.04/2026 registered at Police Station Coal Mines District Jamshoro for offences u/s 506/2, 504, 147, 149, 114, 337-A(i), 337-F(i) PPC. Previously, the applicants/accused applied for the same relief before the learned Additional Sessions Judge-II, Jamshoro but the same was declined vide order dated 11.05.2026.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. Learned counsel appearing on behalf of the applicants mainly contended that applicants are innocent and have falsely been implicated in the case in hand with malafide intention and ulterior motive of the complainant party; that there is an inordinate delay of about 20 days in lodgment of FIR; that there is no evidence whatsoever to connect the applicants with the commission of offence; that all the Sections are bailable except Section 506/2 PPC which also does not fall within the prohibitory clause of Section 497 Cr.P.C. He lastly prayed for confirmation of interim pre-arrest bail.

4. On the other hand, learned D.P.G opposed the confirmation of interim pre-arrest bail on the ground that the applicants/accused are nominated in FIR with specific role of causing injuries.

5. Heard learned counsel for the parties and perused the entire material available on record with their kind assistance.

6. Admittedly, the complainant in FIR has alleged old enmity with accused persons over the landed property inspite of that he lodged FIR after a delay of about 20 days when both the parties were known to each other residing in the same locality. No plausible explanation has been furnished by complainant for such an inordinate delay. The delay in criminal cases has always been held by the Superior Courts to be fatal for prosecution. Moreover, all the Sections applied in FIR are bailable except Section 506/2 PPC which also does not fall within the prohibitory clause and its applicability is yet to be determined by trial Court after recording some evidence. The injuries attributed to the applicants are simple in nature and not caused on non-vital parts of the body. It is also noted that the case is based on documentary evidence and as such the applicants have no chance to tamper with the same. It is settled principle of law that every accused would be presumed to be blue eyed boy of law until and unless he may be found guilty of charge. It is also settled principle of Superior Courts that the law cannot be stretched upon in favour of prosecution particularly at bail stage. Case has been challaned and the applicants are no longer required for further investigation. The applicants after furnishing surety before this Court have joined the investigation/trial and no allegation of misusing the concession of bail has been brought on record to believe that applicants have violated the terms and conditions of the bonds they have executed.

7. Based upon the above discussion, false implication of the applicants/accused with malafide intention at this stage cannot be ruled out. The applicants have made out a good case for grant of pre-arrest bail. Accordingly, the instant bail application is allowed and the interim pre-arrest bail already granted to the applicants on 14.05.2026 is hereby confirmed on same terms and conditions.

8. Needless to mention here that the observations made hereinabove are tentative in nature and will not prejudice the case of either party at trial.

9. Pre-arrest bail application is disposed of in above terms.

JUDGE

Tufail

