

IN THE HIGH COURT OF SINDH, KARACHI

Cr. Bail Application No.2884 of 2026

Cr. Bail Application No.2885 of 2026

Present:

Mr. Justice Muhammad Iqbal Kalhoro

Mr. Justice Jawad Akbar Sarwana

Applicant:- Hidayatullah through Mr. Ghulam Mustafa Jarwar,
advocate.

Respondent:- The State through Mr. Ali Haider Salim,
Additional Prosecutor General.

Date of hearing:- 27.10.2026

O R D E R

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MUHAMMAD IQBAL KALHORO J: Allegedly applicant after an encounter with the police was arrested in injured condition on 11.05.2021. He was trying to escape from the scene along with two accomplices on a motorcycle when the encounter took place. His accomplices however escaped from scene. From applicant, allegedly a 30 bore pistol was also recovered. Hence, he was booked in present two cases.

2. Learned defence counsel has pleaded bail on the ground of delay stating that applicability of sections 324 PPC and 7-ATA requires further inquiry as no one from police party was either injured or received any scratch.

3. Learned APG has opposed bail halfheartedly.

4. We have seen that applicant is in jail for the last five years, yet the prosecution has failed to conclude the case. Applicability of sections 324 PPC and resultant 7-ATA requires further inquiry, as except applicant no one from police party, or even the police mobile in which they were travelling got a bullet mark in the alleged encounter. As far as recovery of illegal pistol is concerned, it seems that applicant had

already suffered almost entire sentence being confined in jail for more than five years, and therefore has earned a right to bail.

5. In view of above, we accept these bail applications and allow bail to the applicant subject to furnishing a solvent surety in the sum of Rs.50,000/- in each case and PR Bond in the like amount to the satisfaction of the trial Court.

6. The Bail Applications are disposed of accordingly. The observations herein above are tentative in nature and shall not affect the case of either party on merits before the trial Court.

JUDGE

JUDGE

HANIF