THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No. 1077 of 2026

Applicant .	:	Tanveer Qabool Abro advocate Son of Qabool Muhammad Through: Syed Jawad Hyder Rizvi advocate
Complainant	:	Mst. Amna Kanwal W/o. Kamran Shehzad Siddiqui advocate Through: Mr. Ahmed Ali Dewan advocate
The State	:	Through Ms. Seema Zaidi, Addl. Prosecutor General, Sindh
Date of hearing	:	13.10.2026.
Date of decision	:	13.10.2026.

O R D E R

Jan Ali Junejo, J.- Applicant Tanveer Qabool Abro advocate son of Qabool Muhammad seeks pre-arrest bail in FIR No.167/2025, under Section 354/342/504/337-V/337-A(i) PPC R/w section 376/511/337-L(ii) PPC registered at Police Station Risala, Karachi, calling in question the order dated 07.04.2026 passed by the learned Additional Sessions Judge-III/Special Court (ARITA-2021), Karachi South, whereby his pre-arrest bail application was dismissed. The Applicant was granted ad-interim pre-arrest bail by this Court vide Order dated: 09.04.2026.

2. The prosecution case, as set out in FIR No.167 of 2025, is that the complainant Aamna Kanwal wife of Kamran Shahzad Siddiqui advocate, had been facing domestic disputes for the preceding few months and, therefore, wished to consult a lawyer. Through social media, she obtained the contact number of Advocate Tanveer Abro and remained in contact with him for approximately fifteen days regarding her matrimonial issues. On 25.10.2025, at about 10:30 a.m., on the call of Advocate Tanveer Abro, she reached City Court, Karachi, where he took her to his office situated on the third floor, in the rear lane of the Court Chambers. Two unknown persons were already present in the office, and they allegedly locked the office from inside and attempted to strip her. Upon her resistance, they subjected her to physical assault, beat her with sticks, and inflicted injuries

on her face, legs, and hands with the intention of removing her clothes to commit rape. They also allegedly cut a considerable portion of her hair with scissors and pulled some of it out from the roots, while recording videos of the entire occurrence and using abusive language. During the incident, her touchscreen mobile phone, gold chain, wristwatch, two ear-tops from her left ear, and one ear-top from her right ear fell inside the office. The complainant managed to protect her honour and modesty and escape from the office, whereafter she immediately contacted her husband, Kamran Shahzad Siddiqui advocate and accompanied him to Police Station Risala, Karachi. She obtained a medical letter from the police station and underwent a medical examination at Civil Hospital, Karachi, under M.L. No. 25/6278, conducted by Lady Medical Officer/MLO Dr. Nazia Hafeez Junejo, who reserved her opinion regarding injuries Nos. 1 to 4 pending receipt of the X-ray reports. After receiving medical treatment, the complainant, alongwith her husband approached the police to lodged the report alleging that Advocate Tanveer Abro (mobile No. 03323450361), along with his two unknown accomplices, whom she claimed she could identify upon seeing them, had deceitfully taken her to his office, wrongfully confined her, attempted to strip her, assaulted and injured her, cut her hair, and recorded videos of the occurrence with the intention of committing rape. It was further alleged that the accused persons threatened to upload the videos on social media. The complainant sought legal action against the accused persons and reported that her aforementioned belongings had fallen inside the office during the occurrence, which allegedly took place between 1400 and 1430 hours on 25.10.2025, hence this FIR.

3. Learned counsel for the applicant/accused contends that the applicant is innocent and has been falsely implicated in the present case with mala fide intention and ulterior motives, as there is no reliable material connecting him with the commission of the alleged offence. He submits that the applicant is a law-abiding citizen, a respectable practicing Advocate, and has no previous criminal record. He further contends that the complainant has lodged the FIR as a result of a premeditated scheme and as a counterblast to a pre-existing domestic or professional dispute between the parties, particularly as the complainant is the paternal aunt of the applicant's wife. Learned counsel argues that the alleged occurrence

never took place in the manner narrated by the complainant, as the applicant's wife, Mst. Salma Tanweer, and his two daughters, Seema and Uzma, were present in his office when the complainant entered therein, and photographs of the applicant, his wife, and daughters have been placed on record in support of his contention. He maintains that the allegations leveled against the applicant are highly improbable and inherently doubtful, particularly the allegation that the applicant attempted to commit rape in his own office during broad daylight in the presence of his wife and daughters. He further submits that the applicant is in possession of a video recording which, according to him, creates serious doubt regarding the prosecution's version. Learned counsel also contends that the prosecution subsequently added Sections 376 and 511 PPC in the final challan without collecting any additional evidence to substantiate the allegations, whereas the interim challan had already been submitted on 17.11.2025 and the final challan on 08.12.2025, demonstrating that the investigation has been completed and the applicant is no longer required for further investigation. He further argues that the alleged delay in lodging the FIR has not been satisfactorily explained and gives rise to the possibility of deliberation and fabrication. According to learned counsel, the prosecution case primarily rests upon the solitary statement of the complainant, without independent corroboration, while the presence and identities of the two alleged unknown accomplices also remain doubtful. He further submits that the nature of the injuries reflected in the medico-legal certificate requires careful examination in the light of the allegations of severe physical assault. Learned counsel additionally states that the applicant appeared before the learned trial Court in Session Case No. 1640/2025 on 31.01.2026, received copies of the prosecution statements recorded under Section 161 Cr.P.C., appeared again on 17.02.2026 when the charge was framed, and thereafter attended the proceedings fixed for prosecution evidence on 10.03.2026 and 21.04.2026. He maintains that the applicant is a permanent resident of Karachi, has deep roots in the community, is not likely to abscond or tamper with the prosecution evidence, and is willing to join the investigation and furnish solvent surety. He further contends that the police have raided the applicant's office and residence to arrest him and that his arrest in the circumstances would cause irreparable damage to his reputation, dignity, and professional standing. Relying upon the principle that an accused is presumed innocent until proven

guilty and that the law should not be interpreted in a manner that unnecessarily prejudices the rights of an accused person, as discussed in 1992 P.Cr.L.J. 2624, learned counsel argues that the case calls for further inquiry within the meaning of Section 497(2) Cr.P.C. and that the applicant is entitled to the extraordinary concession of pre-arrest bail, as his arrest would serve no useful purpose and would amount to an abuse of the process of law.

4. Learned counsel for the complainant vehemently opposes the grant of pre-arrest bail and contends that the applicant has been specifically nominated in the FIR, wherein he is alleged to have wrongfully confined the complainant in his office along with two accomplices, attempted to strip her with the intention of committing rape, subjected her to physical assault, cut her hair, and recorded videos while threatening to upload them on social media. He submits that the allegations are supported by the complainant's medical examination under M.L. No. 25/6278, wherein injuries Nos. 1 to 4 were kept pending for X-ray reports. He further contends that the applicant's plea regarding the presence of his wife and daughters, the photographs relied upon by him, and the alleged video recording require proper examination during trial. He argues that the allegations of mala fide implication, delay in lodging the FIR, absence of independent witnesses, and subsequent addition of Sections 376 and 511 PPC are matters requiring appreciation of evidence and do not, by themselves, justify the grant of pre-arrest bail. Learned counsel maintains that the completion of investigation, submission of the challan, and the applicant's professional status do not entitle him to this extraordinary relief, particularly in the absence of any material establishing mala fide on the part of the complainant or the police. He, therefore, prays for dismissal of the bail application.

5. The learned Addl. P. G. Sindh appearing on behalf of the State fully adopted the submissions advanced by the learned counsel for the complainant. She also opposed the grant of bail to the applicant, asserting that sufficient material has been collected during investigation connecting the accused with the offence, and thus, the case does not fall within the ambit of further inquiry.

6. I have heard learned counsel for the applicant, learned counsel for the complainant and learned Addl. P.G. Sindh for the State, and have carefully examined the material available on record.

7. The principal question requiring determination at this stage is whether the applicant has made out a case for the grant of the extraordinary concession of pre-arrest bail. It is well settled that pre-arrest bail is an extraordinary relief, which may be extended where the circumstances demonstrate mala fide or an ulterior motive on the part of the complainant or the police in order to cause humiliation or unjustified harassment to the accused. In the present case, the applicant has been specifically nominated in the FIR, wherein the complainant has attributed to him a specific role in the alleged occurrence, including wrongful confinement, physical assault, cutting of her hair, and an attempt to commit rape. The allegations are serious in nature and cannot be brushed aside merely on the basis of the applicant's denial. The complainant's version is also accompanied by a medico-legal examination, wherein injuries Nos. 1 to 4 were kept pending for X-ray reports, and the evidentiary significance of the medical record is yet to be determined by the learned trial Court.

8. The contentions raised by learned counsel for the applicant regarding the alleged presence of his wife and daughters in the office, the photographs relied upon by him, and the video recording purportedly in his possession require proper scrutiny and appreciation of evidence. At this stage, these assertions cannot be accepted as conclusive proof of the applicant's innocence, particularly when their authenticity, contents, and evidentiary value have yet to be examined. Likewise, the allegations of mala fide implication, an alleged domestic or professional dispute, delay in lodging the FIR, absence of independent witnesses, and the identity of the two alleged accomplices are matters that cannot be conclusively determined without examining the relevant evidence. The mere relationship between the complainant and the applicant's wife does not, by itself, establish that the applicant has been falsely implicated. Similarly, the addition of Sections 376 and 511 PPC in the final challan is not, in isolation, sufficient to establish mala fide on the part of the investigating agency. These aspects shall be considered by the learned trial Court in accordance with law, without being influenced by any tentative observations made herein.

9. The fact that the investigation has been completed and the challan has been submitted does not, by itself, create an entitlement to pre-arrest bail. Similarly, the applicant's status as a practicing Advocate, his permanent residence, his appearance before the learned trial Court, and his willingness to furnish surety are circumstances that may be considered but are not independently sufficient to justify the grant of this extraordinary relief. The applicant has failed to demonstrate, through any convincing material available at this stage, that the criminal proceedings have been initiated with mala fide intention or that his arrest is being sought for an ulterior purpose. The principle of presumption of innocence relied upon by learned counsel is undoubtedly fundamental to criminal jurisprudence; however, it does not dispense with the requirement that an applicant seeking pre-arrest bail must establish the grounds necessary for the grant of such relief. The judgment cited by learned counsel is required to be considered in the context of its facts and the legal principle laid down therein.

10. In view of the foregoing discussion, I am of the tentative opinion that the applicant has failed to make out a case for the grant of pre-arrest bail. The material available on record does not, at this stage, justify the extraordinary concession sought by him, nor have sufficient grounds been demonstrated to warrant interference with the impugned order dated 07.04.2026 passed by the learned Additional Sessions Judge-III/Special Court (ARITA-2021), Karachi South. Consequently, the instant Criminal Bail Application is dismissed, and the ad-interim pre-arrest bail granted to the applicant by this Court vide order dated 09.04.2026 stands recalled. The observations made herein are tentative in nature and shall not prejudice either party at the trial, which shall proceed independently and be decided on the basis of the evidence brought on record.

JUDGE