IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No. 3007 of 2025

Applicant	:	Aziz ur Rehman son of Aitbar Gul Through Mr. Jahanshar Ali, advocate
Complainant	:	Asad Iqbal son of Muhammad Zaman Through Mr. Rana Sikandar Liaquat, advocate
Respondent	:	The State Through Mr. Sharafuddin Kanhar, APG.
Date of hearing	:	06.10.2026.
Date of order	:	06.10.2026.

O R D E R

***Jan Ali Junejo*, J.**— Applicant Aziz ur Rehman son of Aitbar Gul seeks pre-arrest bail in a case bearing Crime No. 397/2025, for offence under section 462-B/462-C/34 PPC registered at PS Bin Qasim, Karachi. Prior to this, the applicant had sought the same relief before the learned Additional Sessions Judge-IV, Malir at Karachi which was declined vide order dated 29.10.2025. He was admitted to interim pre-arrest bail by this court vide order dated 04.11.2025, now the matter is fixed for confirmation of interim bail or otherwise.

2. The brief facts of the prosecution case, as disclosed in the FIR are that on 24.09.2025 at about 2130 hours the complainant Asad Iqbal son of Muhammad Zaman, Assistant Security Officer of WOTS PARCO, Police Station Bin Qasim, Karachi, stated that he alongwith Security Supervisor Majid Khan, security guards Ghulam Haidar and Hizbullah, and driver Anwar Badshah was patrolling the PARCO pipeline carrying petrol and diesel from Karachi to Lahore. At about 2200 hours, upon reaching Plot Nos. C/1 and C/2 near Point No. 600+00, they noticed fresh digging inside a warehouse. Upon inspection, they discovered a pit near the boundary wall leading to a tunnel approximately six feet in length, where a clamp and a high-pressure valve had allegedly been illegally installed on the PARCO pipeline. A pipe measuring approximately 175 feet had also been laid underground, extending outside the premises and terminating at an iron valve. A technical inspection conducted by PARCO officials revealed that the tampering posed a serious risk of leakage and a potential major

disaster. Further inquiry disclosed that the plots belonged to accused Shaikh Waqar Yousuf son of Muhammad Yousuf, who had also been nominated in an earlier case, bearing FIR No. 177/2024, registered at the same police station under Sections 462-B and 462-C PPC, concerning the alleged theft of oil from the same pipeline. Consequently, the present FIR was registered against accused Shaikh Waqar Yousuf, Syed Ali Irtaqa Shah son of Syed Abrar Ali Shah, Aziz-ur-Rehman son of Aitbar Gul, and other unknown persons for allegedly tampering with the PARCO pipeline with the intention of stealing petroleum products.

3. Learned counsel for the applicant contends that the applicant is innocent and has been falsely implicated in the present case due to mala fide intentions and ulterior motives. He submits that the applicant is merely a tenant of the warehouse, having no concern, directly or indirectly, with the alleged offence, particularly when the alleged excavation was outside the boundary wall of the warehouse. He argues that no direct or indirect evidence is available on record connecting the applicant with the alleged offence, and that the prosecution case is based merely on the complainant's allegations. He further contends that the case requires further inquiry and that the alleged offence does not fall within the prohibitory clause of Section 497, Cr.P.C., wherefore the applicant is entitled to the concession of pre-arrest bail. He maintains that the applicant is presumed innocent until proven guilty, is neither a hardened nor a desperate criminal, and is not likely to abscond or misuse the concession of bail. He further submits that the police are continuously raiding the applicant's residence to arrest him and that his arrest would cause humiliation and irreparable damage to his reputation and that of his family. He undertakes that, if admitted to pre-arrest bail, the applicant shall fully cooperate with the investigation and appear before the investigating officer as and when required. He, therefore, prays that the applicant be granted pre-arrest bail.

4. Conversely, learned APG for the State assisted by learned counsel for the complainant vehemently opposed the confirmation of pre-arrest bail. They contended that the allegations pertain to the deliberate tampering with a national strategic installation, posing a serious threat to public safety and the national economy. It was further argued that the applicant/accused has been specifically nominated in the FIR as one of the persons managing the warehouse where the illegal tapping of the

PARCO pipeline was detected. Learned APG submitted that the tenancy agreement relied upon by the applicant is a self-serving document, allegedly produced after the occurrence, and its evidentiary worth cannot be determined at this stage. He maintained that, considering the gravity of the allegations, the nature of the offence, and the available prima facie evidence, the applicant/accused is not entitled to the concession of pre-arrest bail.

5. I have heard learned counsel for the applicant, learned counsel for the complainant and learned APG for the State, and have carefully examined the material available on record.

6. The applicant seeks confirmation of interim pre-arrest bail in a case registered under Sections 462-B/462-C/34, PPC, pertaining to alleged tampering with the PARCO pipeline. The record reflects that the prosecution alleges the discovery of an underground pipe, clamp and high-pressure valve in the vicinity of the warehouse; however, at this stage, the specific role attributable to the present applicant, particularly with regard to the alleged installation of the tapping apparatus or any attempt to steal petroleum products, requires further investigation. The mere fact that the applicant is alleged to have been managing or occupying the warehouse does not, by itself, conclusively establish his involvement in the alleged offence. The tenancy agreement relied upon by the applicant may be examined by the investigating agency and its evidentiary worth determined during the course of investigation. Likewise, the seriousness of the allegations and the potential risk associated with tampering with a petroleum pipeline, though relevant considerations, cannot by themselves constitute sufficient grounds to deny the concession of bail where the applicant's specific involvement requires further inquiry.

7. It is well settled that pre-arrest bail is an extraordinary relief, intended to protect a person from arrest where the circumstances indicate that such arrest may be unjustified or motivated by ulterior considerations. In the present case, the available material, as placed before this Court, does not sufficiently establish that the applicant's arrest is necessary for a fair and effective investigation, particularly when he has been admitted to interim pre-arrest bail and no specific material has been brought to the Court's notice demonstrating that he has misused the concession granted to him in this case. The objections raised by the learned APG and learned counsel for the complainant regarding the gravity of the offence and the

applicant's alleged connection with the warehouse can be addressed by the investigating agency through lawful investigation, without necessarily resorting to his arrest.

8. In view of the foregoing discussion, I am of the considered opinion that the applicant has made out a case for confirmation of interim pre-arrest bail. Consequently, the instant bail application is allowed, and the interim pre-arrest bail granted to the applicant vide order dated 04.11.2025 is hereby confirmed on the same terms and conditions. However, applicant/accused is directed to attend the trial.

9. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicants on merits.

J U D G E