

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.A. No.2316 of 2026
(Nizamuddin @ Nizam vs. The State)

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Khalid Hussain Shahni

For hearing of bail application

Date of hearing

& order **14.09.2026**

M/s. Waqar Alam Abbasi and Muhammad Younus, advocate for applicant
Mr. Abrar Ali Khichi, Addl: PG Sindh

ORDER

Muhammad Iqbal Kalhoro, J:- Applicant is seeking post arrest bail in a case bearing Crime No.122/2026, u/s 395, 324, 353, r/w section 7 ATA, registered at Police Station Gizri, Karachi, by means of this application.

2. On 14.03.2026 at 06:00 p.m. three unknown accused persons barged in the house of complainant situated Phase-VII, DHA, Karachi for committing robbery. The police were immediately alarmed and they also reached there. In the ensuing encounter, one of the accused, namely, Alamgir, was killed, while two police constables and one passerby were injured by fires shot by both sides. However, the remaining two accused and their accomplice, a lady accused who is said to be standing outside, made their escaped good.

3. Applicant was arrested on 24.03.2026 on suspicion. He is said to be a domestic employee of the complainant. During interrogation, he disclosed that he was aware that this incident was planned by Ex-gunman Faizullah. But on the day of incident, he along with his family went outside for shopping purpose to remove suspicion over him.

4. Learned counsel for the applicant has pleaded for bail on the grounds that his name does not transpire in the FIR; he is well known to the complainant, and his disclosure admitting knowledge of the crime before the police is yet to stand the test of trial.

5. On the other hand, learned Addl: PG Sindh has opposed bail stating that the applicant is an accomplice of the main accused.

6. However, we are of the view that the case against the applicant requires further inquiry, as *prima facie* the only evidence available against him is his alleged disclosure during interrogation before the police that he in advance was aware of the incoming robbery having been planned by the Ex-gunman. Except that, *prima facie*, no any evidence has been collected to establish that he was in active league with the co-accused or had performed any role to facilitate them. Further, the case has been challaned

and the applicant is no more required for further investigation. In the circumstances, this application is allowed and applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.100,000/ (Rupees one hundred thousand only) with P.R. bond in the like amount to be executed to the satisfaction of the trial Court.

7. Bail application stands disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

Rafiq/PA.