

THE HIGH COURT OF SINDH, CIRCUIT HYDERABAD

Crl. Bail Application No.S-420 of 2026

[Gulsher Soomro & 02 others v. The State]

Crl. Bail Application No.S-776 of 2026

[Ali Hassan v. The State]

Crl. Bail Application No.S-793 of 2026

[Noor Muhammad & 04 others v. The State]

Applicants by: Mr.Shawal Khan Lashari, Advocate for the applicants

Complainant by: Mr.Naseer-ul-Din Shah, Advocate

The State: Through Mr.Shahid Ahmed Shaikh, Addl. P.G a/w SIP
Muhammad Raheem Dahri, PS Saeedabad

Date of Hearing: 07-09-2026

Date of Order: 07-09-2026

ORDER

ABDUL MOBEEN LAKHO-J, The above three connected bail applications, i.e Criminal Bail Application No.S-420 of 2026 filed by Gulsher Soomro, Ali Akbar and Misri seeking pre-arrest bail, Criminal Bail Application No.S-776 of 2026 filed by Ali Hassan seeking pre-arrest bail and Criminal Bail Application No.S-793 of 2026 filed by Noor Muhammad, Asghar, Ashraf, Naseer and Hashim seeking post-arrest bail, arise out of the same FIR i.e. Crime No.35 of 2026 registered at Police Station Saeedabad, District Matiari, under Sections 324, 147, 148, 149, 114 and 504 PPC, therefore, all these applications are being disposed of through this single order. Their earlier bail applications were declined vide orders 01.04.2026 and 05.06.2026, by the learned Additional Sessions Judge, Hala.

2. Briefly, the prosecution case as set out in the FIR is that on 20.03.2026, due to an admitted dispute over land between the parties, the accused persons allegedly arrived at the place of incident armed with different weapons. Specific allegations of firing and causing injuries have been levelled against some of the accused while allegations of instigation and causing simple injuries have been attributed to others. The FIR was lodged on 21.03.2026.

3. Learned counsel for the applicants contended that the occurrence has arisen out of a long-standing land dispute between the parties; that there are

previous litigations and proceedings between them; that the injuries attributed to some of the accused fall under Section 337-F(iii) PPC; that there are cross allegations regarding the actual aggressor and that the case requires further inquiry. He further pointed out that after filing of these applications, the matter has been amicably resolved between the parties and the complainant as well as all injured persons have filed affidavits expressing no objection to the grant of bail to all the applicants.

4. Learned Addl. P.G., assisted by learned counsel for the complainant, conceded that the complainant Ghulam Qadir and injured persons namely Wahid Bux, Arshad Ali, Abdul Rahman and Abdul Qadeer have filed affidavits before this Court stating therein that they have no objection if bail is granted to the applicants/accused.

5. I have heard learned counsel for the parties and perused the material available on record.

6. Tentative assessment of the record reflects that admittedly the occurrence has stemmed from a previous land dispute between the parties. The FIR itself shows that all the parties are residents of the same locality and have been litigating over possession of land for a considerable period. The question as to which party was the aggressor can only be determined after recording evidence by the trial Court.

7. It has further come on record that after institution of these applications, the complainant and all injured persons have filed separate affidavits before this Court categorically stating that they have no objection if bail is granted to the present applicants/accused. They also appeared in person today and reiterated the above same stance.

8. It is also noteworthy that the injuries attributed to the injured persons, as noticed by the learned Courts below, have been declared under Section 337-F(iii) PPC, carrying punishment not falling within the prohibitory clause of Section 497, Cr.P.C., while the applicability of Section 324 PPC would be a matter to be finally examined by the trial Court after recording evidence

9. In the overall circumstances, keeping in view the background of the dispute, the nature of allegations, the affidavits of no-objection filed by the complainant and injured persons and without making any observation

touching the merits of the case, I am of the tentative view that the applicants have made out a case for concession of bail.

10. Consequently, Crl. B.A No.S-420 of 2026 and Crl. B.A No.S- 776 of 2026 are allowed and the interim pre-arrest bail earlier granted to applicants Gulsher Soomro, Ali Akbar Misri and Ali Hassan vide orders dated 07.04.2026 and 17.06.2026 are hereby confirmed on the same terms. Crl. B.A No.S-793 of 2026 is also allowed. Applicants Noor Muhammad, Asghar, Ashraf, Naseer and Hashim are admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) each and P.R. bonds in the like amount to the satisfaction of the learned trial Court.

Office is directed to place copy of this order in connected bail applications.

JUDGE

AHSAN K. ABRO