

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Bail Appl. No. S- 778 of 2026
[Nabi Bux and another v. The State]

21.08.2026

For orders on office objections
For hearing of main case

Mr. Ghazi Salahuddin, Advocate along with applicants on interim pre-arrest bail
Mr. Muhammad Rafique Jumani Advocate along with Complainant / injured
Muhammad Idrees
Mr. Irfan Ali Talpur, DPG

ORDER

Abdul Mobeen Lakho, J.- Applicants Nabi Bux and Rasheed Ahmed seek pre-arrest bail in Crime No. 46 of 2026 registered at Police Station Dehi, District Badin, for offences under Sections 324, 147, 148, 149, 114, 337H(ii), 504 PPC, after dismissal of their application for pre-arrest bail by the learned Sessions Judge, Badin, vide order dated 12.06.2026.

2. Briefly stated, the allegation against the applicants is that on 03.06.2026 at 1200 hours, they along with the co-accused, being armed with hatchets, allegedly arrived at the land of complainant. It is alleged that on the instigation of co-accused Muhammad Bux Leghari, the applicants caused back side of hatchet blows to complainant Muhammad Idrees on his right shoulder, arms and other parts of his body.

3. Learned counsel for the applicants submits that during the pendency of the instant pre-arrest bail application, the matter has been amicably settled between the parties. In support of such settlement, the complainant, Muhammad Idrees, who is himself the injured person in the present case, has filed his No Objection Affidavit, stating that he has forgiven the applicants in the name of ALMIGHTY ALLAH on intervention of Nek Mards in order to create harmony and prosperity.

4. The learned Deputy Prosecutor General Sindh, after verification of the complainant's affidavit, has also not been able to point out any circumstance which may disentitle the applicants to the concession already extended to them.

5. I have heard the learned counsel for the parties and have examined the available material with their assistance. It is an admitted position that the complainant, who is also the injured person, has voluntarily appeared before the Court and has categorically stated that he has forgiven the applicants for the sake of ALMIGHTY ALLAH and has no objection to confirmation of their interim pre-arrest bail. The compromise, therefore, appears to have been entered into voluntarily and without any apparent coercion or undue influence.

6. It is also relevant that the question before this Court is not, at this stage, to finally determine the guilt or otherwise of the applicants. The extraordinary relief of pre-arrest bail is intended, inter alia, to protect a person from unnecessary humiliation, harassment or abuse of the process of law. In the circumstances of the present case, where the complainant/injured himself has settled the dispute and does not wish to pursue the matter against the applicants, the continuation of the interim relief already granted to them would serve the ends of justice.

7. In view of above, I am of the opinion that at this stage the applicants have made out a case for pre-arrest bail. Accordingly, instant bail application is allowed and the interim pre-arrest bail earlier granted to the applicants vide order dated 17.06.2026 is hereby confirmed on the same terms and conditions.

The observations made hereinabove are tentative in nature and would not prejudice the case of either party at trial.

JUDGE