IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No. 1857 of 2026

Applicant	:	Imranullah S/o. Zar Malik Through Mr. Saleem Nawaz Waziri Advocate
The State	:	Through Ms. Seema Zaidi, Addl. P. G. Sindh a/w complainant
Date of hearing	:	26.10.2026.
Date of order	:	26.10.2026.

O R D E R

***Jan Ali Junejo*, J.**— Applicant Imranullah son of Zar Malik seeks pre-arrest bail in a case bearing Crime No. 72/2026, for offence under section 279/320 PPC of P.S Ittehad Town, Karachi. Prior to this, the applicant had sought the same relief before the learned Additional Sessions Judge-X, Karachi West (Court of Gender Based Violence Cases), which was declined vide order dated 13.05.2026. He was admitted to interim pre-arrest bail by this court vide order dated 16.06.2026, now the matter is fixed for confirmation of interim bail or otherwise.

2. The facts relevant to the present criminal bail application are as follows:

> "As per the contents of the FIR, on 11.03.2026, SIP Yaqoob Ali Magsi, posted at Police Station Ittehad Town, Karachi, while performing his duties as Duty Officer, received information vide Rapat No.30 that an injured person was lying at Subhan Allah Masjid, Block-B, Abidabad, Baldia Town, Karachi. After completing the requisite formalities at Jinnah Hospital, Karachi, he contacted the legal heirs of the deceased and learnt that a minor boy, namely Ahmed son of Muhammad Yaseen Khan, aged about 04 years, had sustained serious injuries and subsequently succumbed to his injuries. During the proceedings under Section 174 Cr.P.C. and postmortem examination, the legal heirs disclosed that on 10.03.2026 at about 07:30 p.m., the minor was hit by Mazda vehicle bearing registration No. JZ-9507, allegedly driven at high speed and negligently by an unidentified driver, resulting in the fatal injuries. After the funeral, despite repeated attempts to contact the legal heirs, they did not appear at the police station to pursue the matter; therefore, SIP Yaqoob Ali Magsi lodged the FIR against the unknown driver of the aforesaid vehicle under Sections 279 and 320 PPC, and the investigation was assigned to the Incharge CIC, Baldia Division."

3. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated in the instant case by the complainant in collusion with the police, with mala fide intention and ulterior motives. He submitted that the applicant possesses a valid driving licence, while the alleged offences are bailable in nature. He further contended that there is an unexplained delay of three days in lodging the FIR, which creates serious doubt regarding the prosecution's case, and that the applicant was neither nominated in the FIR nor identified by any independent witness as the person driving the alleged vehicle at the relevant time. He argued that no direct or indirect evidence is available on record connecting the applicant with the commission of the alleged offence. Learned counsel further submitted that the matter has been amicably settled between the parties outside the Court and that an affidavit of no objection would be produced at the time of confirmation of the instant pre-arrest bail application. He lastly contended that the police, acting with mala fide intention and ulterior motives, were attempting to raid the applicant's house and malign his reputation; therefore, the applicant is entitled to the concession of pre-arrest bail.

4. Muhammad Yaseen Khan son of Gulawar Khan, father of deceased child Ahmed is present in Court and has filed his affidavit of no objection, whereby he has expressly stated that he have no objection to the applicant being admitted to bail.

5. Conversely, the learned Addl. Prosecutor General Sindh formally opposed the grant of post-arrest bail to the applicant/accused.

6. I have heard learned counsel for the applicant, the learned Addl. Prosecutor General Sindh for the State, and have examined the material available on record.

7. The record reflects that the FIR was lodged against an unknown driver of Mazda vehicle bearing registration No. JZ-9507, and the applicant was not nominated therein. The question of the applicant’s involvement in the alleged incident, therefore, requires further inquiry, particularly when no independent eyewitness has been referred to in the FIR to establish his identity as the person driving the vehicle at the relevant time. The applicant has also asserted that he possesses a valid driving licence. Furthermore, the father of the deceased minor is present

before this Court and has filed an affidavit of no objection to the grant of bail to the applicant. Although such no objection, by itself, does not absolve the applicant of the alleged criminal liability, the same may be taken into consideration along with the other circumstances of the case. At this stage, without dilating upon the merits of the case, the material available on record does not justify withholding the concession of pre-arrest bail from the applicant. Accordingly, the instant bail application is allowed, and the interim pre-arrest bail granted to applicant Imranullah son of Zar Malik vide order dated 16.06.2026 is hereby confirmed on the same terms and conditions.

Needless to observe that the observations made herein are tentative in nature and shall not prejudice either party at the trial.

J U D G E