HIGH COURT OF SINDH CIRCUIT COURT HYDERABAD

Criminal Bail Application No.S-1158 of 2026

Applicants:	Muhammad Umar Laghari through Mr. Zamir Hussain Rind, Advocate.
Respondent:	The State through Mr. Shawak Rathore, Deputy Prosecutor General, Sindh along with ASI Sadam Hussain PS Johi.
Complainant:	Hizbullah through Mr. Imtiaz Ali Channa, Advocate.
Date of hearing:	28.10.2026.
Date of order:	28.10.2026.

O R D E R

MUHAMMAD HUMAYON KHAN, J: - Through this application, applicant Muhammad Umar Laghari son of Nabi Bux seeks confirmation of interim pre-arrest bail granted on 31.08.2026 by this Court in Crime No.76/2026 of Police Station Johi, District Dadu, initially registered under sections 337-A (i), 337-F (i), 506(2), 114, 504, 147, 148 and 149, PPC, with sections 336 and 337-U, PPC subsequently included in the challan, as stated in the memo. His earlier application was dismissed by the learned Additional Sessions Judge-IV, Dadu, on 21.08.2026.

2. Briefly, on 28.06.2026 at about 1730 hours, complainant Hizbullah, accompanied by his nephews Noor Muhammad and Abdul Hakeem, was allegedly intercepted by the applicant and his companions near the sixth watercourse of the ninth Shaakh. They demanded withdrawal of an earlier criminal case. The applicant allegedly struck the complainant on his mouth with a danda, resulting in a broken tooth, while other accused inflicted further blows and extended threats. The FIR was lodged the following morning after obtaining a police letter and medical treatment.

3. Learned counsel for the applicant contends that admitted land litigation and rival criminal cases, including Crime No.37/2026 lodged by co-accused Ghulam Shabir, establish false implication. He questions the fifteen-hour delay, reliance upon related witnesses and application of section 336, PPC, contending that section 337-U governs the injury. He further contends that the applicant has joined investigation, the challan stands submitted, the co-accused are on bail and the case requires further inquiry.

4. Conversely, learned Deputy Prosecutor General, Sindh, assisted by learned counsel for the complainant, opposes confirmation of bail. They contend that the applicant is specifically assigned the danda blow causing the complainant's dental injury, supported by the eyewitness account and medical evidence, and that the plea of false implication is unsupported by material warranting further inquiry.

5. Heard and considered.

6. At this stage, the material requires tentative assessment without undertaking an appraisal reserved for trial. In *Rana MUHAMMAD ARSHAD v. MUHAMMAD RAFIQUE and another* (PLD 2009 SC 427), the Supreme Court explained the protective scope of pre-arrest bail against abuse of criminal process. The merits must nevertheless receive consideration; absence of independently proved mala fides cannot, by itself, determine the application.

7. The applicant's implication is accompanied by a distinct allegation of causing the mouth injury. The impugned order records that the final medical certificate describes itlaf of a tooth caused by a hard and blunt substance, and that the witnesses, in their statements under section 161, Cr.P.C., support the accusation. Medical evidence does not identify the assailant, but the injury described is consistent with the blow specifically attributed to the applicant. Their relationship with the complainant calls for scrutiny at trial; it does not, without some material infirmity, warrant discarding their account at the bail stage. The previous litigation and rival FIR have been considered. They provide a possible basis for hostility, but also form the prosecution's stated motive for the alleged demand to withdraw the earlier case. Their existence alone does not establish that this separately alleged occurrence was fabricated. Likewise, the interval before registration must be considered alongside the complainant's account of approaching the police, obtaining a medical letter and receiving treatment. On the material presently described, the delay does not outweigh the specific ocular allegation and corresponding injury.

8. Section 337-U PPC prescribes arsh for teeth; its one-year imprisonment provision concerns a milk tooth. It does not prescribe a general one-year maximum for every dental injury. Section 336, invoked in the challan, carries imprisonment extending to ten years in addition to

arsh. Its application must rest upon the injury and statutory ingredients, rather than its mere insertion by police. Nevertheless, the recorded finding of itlaf and the corresponding medical opinion provide a *prima facie* basis for examining that charge.

9. As far as the grant of bail to the co-accused is concerned, suffice to say that the injuries attributed to them lacked corresponding medical support, or their alleged roles required further inquiry. The applicant, assigned the medically supported dental injury, does not stand on the same footing. His participation in investigation and submission of the challan weigh in his favour, but do not, in the circumstances discussed above, establish entitlement to confirmation. This conclusion rests upon his particular role and the supporting material, rather than previous hostility or nomination alone.

10. Consequently, the application is **dismissed** and the interim pre-arrest bail granted to the applicant on 31.08.2026 is **recalled**. These observations are tentative, confined to disposal of this application, and shall neither influence the trial nor prejudice consideration of any subsequent application for post-arrest bail on its own merits.

JUDGE

Abdullah Channa/PS