IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S-998 of 2026

Applicant:	Manzoor Ahmed son of Mehmood Ali Chachar R/O village Hussain Bhutto Granag, P.O Ubauro, District Ghotki **through** Mr. Muhammad Aslam Gadani, advocate.
The State	**Through** Mr. Mansoor Ahmed Shaikh, Deputy Prosecutor General, Sindh.

Date of hearing & Orders: 18-11-2026.

O R D E R.

Suresh Kumar, J.--- Through the instant bail application, the applicant named above seeks confirmation of the ad-interim pre-arrest bail already granted to him by this Court vide order dated 07-10-2026, in a case bearing crime No. 210/2026, offence u/s 392, 394, 337(II), 506/2 PPC registered at Police Station Ubauro, District Ghotki.

2. Concisely, the facts of the prosecution case, as depicted in the FIR, are as follows: The complainant, Fida Hussain, lodged the FIR on 28-09-2026, alleging that on 02-09-2026, he, along with PWs Javed Ahmed, Akhtar Ali, and Zafar Ali, was present on his land situated near Alliance Sugar Mill, Ubauro, when the accused, Manzoor Ahmed and Hazoor Bux, armed with lathis, and accused Sardar and Ali Nawaz alias Ali, armed with pistols, arrived there. Accused Hazoor Bux allegedly robbed the complainant of his wallet containing Rs. 26,000 and certain documents. Upon resistance, accused Manzoor Ahmed dealt a lathi blow to PW Javed Ahmed on his left arm, while accused Sardar and Ali Nawaz alias Ali resorted to aerial firing to create harassment. Thereafter, all the accused, while extending threats of dire consequences, fled from the scene. Consequently, the complainant lodged the FIR.

3. The applicant initially sought pre-arrest bail from the Court of the learned Additional Sessions Judge/MCTC Ubauro, which was dismissed vide order dated 05-10-2026. Being aggrieved by this dismissal, the applicant has approached this Court.

4. I have heard the learned counsel appearing on behalf of the applicant/accused, learned DPG for the State as well as complainant in

person who have strongly opposed the confirmation of interim pre-arrest bail.

5. Having given due consideration to the arguments advanced by the counsel for the applicant/accused, learned DPG for the State and perused the relevant material available on record. From the perusal of FIR it reveals that the incident took place on 02-09-2026 and FIR was lodged on 28-09-2026 after un-explained delay of about 24 days; therefore, consultation and deliberation on the part of complainant cannot be ruled out. In similar circumstances the Honourable Supreme Court in the case of **Jamaluddin v. The state (2023 SCMR 1243)** at paragraph No.6 held as under:-

> *"(6)…There is no denial to this fact that the FIR was lodged after an inordinate delay of about three days. The only explanation put forth by the complainant is that firstly they got the Police letter for treatment from Civil Hospital and after the treatment they lodged the FIR. However, this explanation does not seem to be impressive, especially when the Police was allegedly approached by the complainant on the very first day. The complainant and the injured PW received injuries on the non-vital parts of the body and the petitioners did not repeat the fire despite having ample opportunity to do so. In this view of the matter, the question whether section 324, P.P.C. would be applicable in the case or not would be determined by the learned Trial Court after recording of evidence."*

6. Moreover, the applicant/accused is allegedly assigned the role of delivering a lathi blow to PW Javed Ahmed, and such injury has been declared under Section 337F(v) and is punishable by up to 5 years, which does not fall within the prohibitory clause of Section 497 Cr.P.C. The record further reveals that co-accused Hazoor Bux, Sardar Ali alias Sardar, and Ali Nawaz alias Ali have been granted pre-arrest bail by the learned trial court. The previous enmity is admitted by the complainant in the FIR; therefore, malafide on the part of the complainant cannot be ruled out. All the above cumulative facts call for further inquiry as embedded in Section 497(2) Cr.P.C.

7. After grant of interim pre-arrest bail, the applicant/accused has joined the investigation and has not misused the concession of interim pre arrest bail.

8. For the foregoing reasons and guidance taken from the above case law, I am of considered view that the applicant/accused has successfully made out a case for the grant of pre-arrest bail, therefore, the interim pre arrest bail already granted to him on 07-10-2026, is hereby confirmed on same terms and conditions with direction to appear before trial Court.

9. Needless to say that the above observations are tentative in nature and will not prejudice the case of either party at the time of trial.

J U D G E

Nasim/P.A