IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.3750 of 2026

Applicant	:	Muhammad Dilawar Khan son of Shahid Jabbar Khan, Through Mr. Malik Muhammad Zeeshan, Advocate
Respondent	:	The State *Through* Mr. Qamaruddin Nohri A.P.G. Alongwith ASI Syed Danish, PS Defence duly assisted by Complainant (in person)
Date of hearing	:	18.11.2026
Date of Order	:	18.11.2026

O R D E R

KHALID HUSSAIN SHAHANI, J. –The applicant, Muhammad Dilawar Khan, seeks confirmation of pre-arrest bail in a case bearing Crime No.807/2026, registered at Police Station Defence, Karachi South, under Sections 354/504/34 PPC read with Section 3 of the Domestic Violence Act, after rejection of his earlier application by the learned III-Additional Sessions Judge/Special Court (ARITA-2021), Karachi South, vide order dated 14.10.2026.

2. Briefly, the prosecution alleges that the applicant, along with his mother and brother Arsalan, subjected the complainant, Mst. Sanam, who is his wife, to physical and mental torture and ultimately expelled her from the matrimonial home, culminating in registration of the aforesaid FIR on 07.10.2026

3. Heard learned counsel for the applicant, learned A.P.G., and the complainant, who appeared in person. Record perused. Although learned A.P.G. opposed confirmation of bail, the complainant voluntarily submitted an affidavit expressing no objection thereto, following reconciliation between the spouses

4. A tentative assessment of the record reveals that the offences invoked do not attract the prohibitory clause of Section 497(1), Cr.P.C. Significantly, the complainant herself has acknowledged reconciliation and expressed her unwillingness to oppose the concession of bail. While such reconciliation does not, by itself, extinguish criminal liability, it remains a relevant circumstance in assessing the necessity of the applicant’s arrest.

The allegations, their precise nature and the applicability of the penal provisions are matters requiring determination upon evidence at trial. In the circumstances, particularly when the offences fall outside the prohibitory clause and the complainant no longer presses for the applicant's arrest, no compelling justification exists to deprive him of his liberty at this stage.

5. Consequently, this application is allowed, and the interim pre-arrest bail already granted to the applicant is confirmed on the same terms and conditions, subject to his continued cooperation with the investigation and regular attendance before the learned trial Court. The observations made herein are purely tentative and shall not influence the trial, which shall be decided independently on its own merits.

J U D G E

Shahbaz