IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S-1075 of 2026

Applicants:	1. Muhammad Aslam son of Raool Bux. **2.** Makooro son of Ali Hassan. **3.** Amjad Ali son of Ali Bux. **4.** Imam Bux son of Muhammad Ismail. **5.** Mazhar son of Jaaro Khan. **6.** Sudheer son of Nawab. All bycaste Solangi, resident of village Salar Dahri, Taluka and District Naushahro Feroze **through** Mr. Riaz Ali Shaikh, advocate.
The State	**Through** Mr. Shafi Muhammad Mahar, Deputy Prosecutor General, Sindh.

Date of hearing & Orders: 19-11-2026.

O R D E R.

Suresh Kumar, J.--- Through the instant bail application, the applicants named above seek confirmation of the ad-interim pre-arrest bail already granted to them by this Court vide order dated 28-10-2026, in a case bearing crime No. 426/2026, offence u/s 457, 506/2, 504, 337H(ii), 148, 149 PPC registered at Police Station Naushahro Feroze.

2. Concisely, the facts of the prosecution case, as depicted in the FIR lodged by the complainant Mst. Afroz on 12-10-2026, allege that on 10-10-2026 at about 1:00 AM, the accused—Muhammad Aslam, Makooro, and Amjad Ali armed with pistols, along with Imam Bux, Mazhar, and Sagheer—trespassed into the complainant's house. They pointed their weapons and issued threats of murder, with accused Muhammad Aslam threatening that if they did not return their daughter, they would be murdered. Thereafter, all the accused made aerial firing and fled the scene. Ultimately, the complainant lodged the aforementioned FIR.

3. The applicants initially sought pre-arrest bail from the Court of the learned 1st Additional Sessions Judge Naushahro Feroze, which was dismissed vide order dated 24-10-2026. Being aggrieved by this dismissal, the applicant has approached this Court.

4. I have heard the learned counsel appearing on behalf of the applicants/accused, learned DPG for the State as well as complainant Mst. Afroz in person. Learned DPG for the State and complainant have raised no objection for confirmation of interim pre arrest bail already granted to the applicants/accused.

5. Having given due consideration to the arguments advanced by the counsel for the applicants/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 10-10-2026 and FIR was lodged on 12-10-2026 after un-explained delay of about 02 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 alleged offence is punishable by up to 7 years and does not fall within the prohibitory clause of Section 497(1) Cr.P.C. The complainant is present and has raised no objection to the confirmation of interim pre-arrest bail on the ground that she has patched up with the applicants/accused outside the Court. The previous enmity over the matrimonial dispute is admitted by the complainant in the FIR; therefore, mala fides 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 applicants/accused have joined the investigation as well as trial Court and have not misused the concession of interim pre arrest bail.

8. For the foregoing reasons and guidance taken from the above case law, so also no objection raised by the complainant, I am of considered view that the applicants/accused have successfully made out a case for the grant of pre-arrest bail, therefore, the interim pre arrest bail already granted to them on 28-10-2026, 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