

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Criminal Misc. No.414-B/2019

Nisar Ahmed, etc

Versus

The State, etc

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
(2)	28.06.2019	Raja Shahzad Anwar, Advocate for petitioners. Petitioners in person. Sahibzada Saad ud Din, Advocate for complainant. Jawad ASI with record.

Through this petition, the petitioners Nisar Ahmed, Iftekhhar Anjum, Ghulam Hussain and Muhammad Mobeen have prayed for pre-arrest bail in case FIR No.148 dated 02.05.2019 under sections 506(ii), 427, 337-H(ii), 380/148/149 PPC, registered at Police Station Sehala, Islamabad.

2. Learned counsel for the petitioners contends that the petitioners are innocent and have falsely been implicated in the FIR with *malafide* intention and ulterior motive; that facts narrated in the FIR do not establish any criminal liability against the petitioners; that pre-arrest bail of the petitioners has been dismissed by learned ASJ-VI Islamabad (East) merely on the ground that petitioners have not joined the investigation despite the fact that petitioners, handover the Robcar to the I.O. and got recorded their statements but I.O. did not prepare the zimny.

3. Arguments heard, record perused.

4. From perusal of record it has been observed that pre-arrest bail of the petitioners has been dismissed as they failed to join investigation. When this situation has been confronted to the I.O. as to whether petitioners joined investigation or not he candidly admitted the fact and states that petitioners have joined the investigation after obtaining their pre-arrest bail orders.

5. In view of above, instant matter is remanded to learned Court seized with the matter in the previous round without passing any observation on merits, therefore, learned ASJ, Islamabad shall decide the matter (bail application) independently. All the four petitioners are directed to appear before the Court of Mr. Muhammad Atta Rabbani, Additional Sessions Judge (East) Islamabad on 04.07.2019.

6. Instant petition stands disposed of accordingly.

(MOHSIN AKHTAR KAYANI)
JUDGE

Imran