

**ORDER SHEET.**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**Crl. Misc. No. 205/B/2020**

Atish Mehmood

Versus

The State, etc.

<b>S. No. of order/ proceedings</b>	<b>Date of order/ Proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
<b>(05)</b>	09.06.2020	Raja Muhammad Nadeem Kiani, Advocate for the petitioner. Mr. Muhammad Sohail Khurshid, State Counsel. Mr. Hassan Sajjad, Advocate for respondent No.2. Fayyaz Akbar, S.I, P.S Kohsar, Islamabad. Nadeem Mughal, S.I, P.S Bara Kahu, Islamabad.

**MOHSIN AKHTAR KAYANI J.** Through this criminal miscellaneous, petitioner has prayed for pre-arrest bail in case FIR No. 15/2020, dated 18.01.2020, registered U/S 337A(ii)/506 PPC, P.S Bara Kahu, Islamabad.

2. Brief facts referred in instant FIR lodged on the complaint of Muhammad Altaf /respondent No.2 are that the petitioner has received Rs. 580,000/- and vehicle bearing No. QJ793, Mode, 2010, Suzuki Mehran four years ago, but the same was not returned to the complainant, however, complainant approached the petitioner for settlement of his claim on 30.12.2019 at about 11:00 a.m, the petitioner attacked upon the complainant with iron rod and inflicted two injuries upon the complainant, first on his temporal origin and second on left leg.

2. Learned counsel for the petitioner inter-alia contends that the petitioner is innocent and has falsely been implicated in this case. He further contends that no such incident took place and entire case is false and frivolous in order to harass and humiliate the petitioner.

3. Conversely, learned counsel for respondent No.2 and learned State Counsel contend that petitioner is nominated with specific role and the injuries caused by the petitioner have been corroborated by the medical evidence and he is not entitled for concession of pre-arrest bail.

4. Argument heard and record perused.

5. Perusal of record reveals that petitioner has received Rs. 580,000/- as well vehicle bearing No. QJ793, Model, 2010, Suzuki Mehran from the complainant against the affidavit, but later on failed to return the same, whereupon, the complainant approached the petitioner for settlement of his amount, however, the petitioner injured the complainant with iron rod.

6. Tentative assessment of the record reflects that the petitioner is nominated with specific role of causing injuries to the complainant on his temporal origin, which has been confirmed through MLR, issued by the Doctor.

7. The contents of F.I.R disclose the use of iron rod for causing injuries to the complainant as such, no malafide has been attributed and petitioner is prima facie connected with the crime and at this stage, if pre-arrest of the petitioner is confirmed, the

investigation would be hampered for want of recovery.

8. In view of above, instant criminal miscellaneous is devoid of merits and same is hereby **dismissed** and the pre-arrest bail granted to Atish Mehmood /present petitioner by this Court vide order dated 18.03.2020 is hereby **re-called**.

9. It is needless to mention here that the observations made hereinabove are tentative in nature and shall not hamper the trial.

**(MOHSIN AKHTAR KAYANI)**  
**JUDGE**

RAMZAN