

ORDER SHEET.

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

Criminal Misc. No. 669/B/2020.

Raja Amir Saleem

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.
	13.05.2020.	Ch. Naveed Shahzad, Advocate for petitioner. Mr. Muhammad Sohail Khursheed, State Counsel. Ghulam Abbas, ASI P.S. Shalimar, Islamabad.

Through this CrI. Misc., petitioner has prayed for post-arrest bail in case FIR No.439, dated 28.12.2019, U/S 392/411 PPC, P.S. Shalimar, Islamabad.

2. Brief facts referred in the instant FIR lodged on the complaint of respondent No.2 are that he was robbed on gunpoint on 28.12.2019 at about 11:00 p.m. when two persons snatched his driving license, ATM card, office card, cash amount Rs.3,000/-, bike and home keys.

3. Learned counsel for the petitioner contends that petitioner is innocent and has falsely been implicated in this case, even identification parade has been conducted in violation of law; that no features of the accused persons have been referred in the FIR and even petitioner has fractured leg due to which he requires special medical assistance; that challan has been submitted in the Court, hence the petitioner is entitled

for concession of post-arrest bail.

4. Conversely, learned State Counsel contends that petitioner is involved in number of cases and even recovery of cash amount Rs.2,000/- and keys referred by the complainant were recovered from the petitioner during physical remand and challan has been submitted in the Court and there is likelihood of early conclusion of trial, therefore, he is not entitled for concession of post-arrest bail.

5. Arguments heard, record perused.

6. The tentative assessment of record reveals that petitioner was arrested in above mentioned case FIR on 08.02.2020, where-after on his pointation Rs.2,000/- and keys referred in the FIR (bike and home keys) were recovered, which *prima-facie* connects the petitioner with crime of armed robbery. The petitioner was also identified during the course of identification parade and he is also involved in three other cases of territorial jurisdiction of ICT and 15 cases of the jurisdiction of District Lahore.

7. The petitioner is claiming bail on medical ground but there is no medical record appended with this petition to justify his claim. The offence with which petitioner has been charged falls within the ambit of prohibitory clause of Section 497 Cr.P.C. and as such there is no ground of further inquiry available to accused/petitioner.

6. In view of above, instant petition is *dismissed*.

However, while relying upon 2011 SCMR 1332
(Rehmatullah and another Vs. The State) learned trial
Court seized with the matter is directed to conclude the
trial within period of six months under intimation to
this Court.

(MOHSIN AKHTAR KAYANI)
JUDGE

Zahid