

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-III,
QUETTA.**

Bail Before Arrest Application No.57/2021
FIR No.25/2021
P.S. Airport, Quetta

Abdul Waris Son of Abdul Manan,
Resident of KilliSyedon, Airport Road,
Quetta

...**Applicant/Accused**

VERSUS

The State

...**Respondent**

OFFENCE UNDER SECTION 380, 457, 342, 34-PPC

**APPLICATION UNDER SECTION 498 Cr.P.C.
FORGRANTOFBAIL BEFORE ARREST**

Mr.Ayaz Zahoor Advocate for Applicant/Accused
Mr. Noor Zaib A.D.P.P.for the State

ORDER
22nd April, 2021



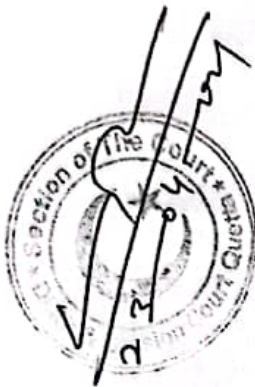
Applicant above named sought concession of pre-arrest bail by moving instant application u/s 498 Cr.P.C. who has been moved in connection with a case vide F.I.R. No.25/2021 registered at Police Station Airport, Quetta, under abovementioned offences.

2. Brief facts of the case leading to file present application are that, the complainant of the case namely Hafiz Haybat ullah s/o Abdul Haq lodged the instant FIR with the P/S. Airport, Quetta with the averments that, he is the resident of Killi Sheikh Manda Ziarat,

near Airport Road, Quetta and he has rented a shop with the name and style "Al-Haafiz" and kept dry fruits of people on the basis of rent. At that time he kept different dry fruits of one Attique Paracha, Noor Agha and others and in the said shop some labors namely Abdul Rasheed, Janan, Naqeebullah, Salahuddin, Ahmed, Rozi Muhammad, Muhammad Aalam, Gul Muhammad and Kifayatullahare living while the shop/godown has no any guard. On 25.02.2021, at about 05:50 morning, labor namely Rozi Muhammad informed the complainant that, previous night, at about 03:15-AM (night time), some unknown persons came to shop/godown, took key of shop/godown where dry fruits were kept and confined the labors to a room and stolen some dry fruits. Consequently, instant FIR was lodged against unknown accused persons.

3. I have heard learned Counsel for the applicant/accused and Mr. Noor Zaib, ADPP for the State and dispassionately pondered their respective arguments with utmost muse in the light of relevant provisions of law and material available on record.

4. On perusal of record, it reveals that, accused/applicant is not figured in FIR. The present accused has been nominated on the disclosure of co-accused. Accused/applicant claimed that the recovered articles had been purchased by him from one Khudaidad. The co accused are already been enlarged on bail. The active role of accused would be determined at trial after recording evidence. Investigation of the case is completed. Moreover, it is a case of further



inquiry. I, therefore; allow instant application under Section 498 Cr.P.C. and confirm the order dated 15th April, 2021, whereby applicant named above is admitted to ad-interim pre-arrest bail. However, the applicant herein is directed to cooperate with the investigating agency as and when required and Investigation Officer is directed to submit Challan at the earliest possible date.

5. Observations made hereinabove are purely tentative in nature and shall have no influence on merits of the main case. Application file be consigned to record after observing the formalities.

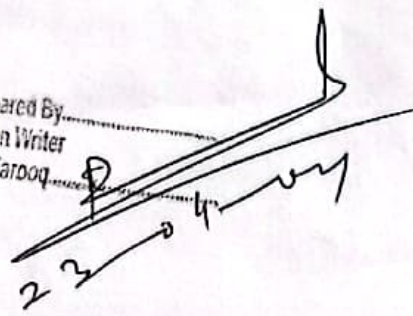
Given under my hand and seal of the Court on this 22nd

April, 2021

ANNOUNCED IN OPEN COURT

Sd/xxxxxxxxxxxxxxxxxxxxxx
(INAYATULLAH KAKAR)
ADDITIONAL SESSIONS JUDGE-III,
QUETTA

Compared By
Section Writer
S.M - Farooq



Certified to be True Copy
District & Session Judge, Quetta
23/04/21