ORDER SHEET
In the Islamabad high Court,
Islamabad

JUDICIAL DEPARTMENT

Crl. Misc. No.43-B of 2022

Raja Rizwan Khizar VERSUS The State & another.

Serial No. of order of proceedings	Date of order of proceedings	Order with signatures of judge, and that of parties of counsel, where necessary.
1	**2**	**3**
	11.02.2022	Petitioner in person alongwith Mr. Khurram Shahzad Malhal, Advocate. Ch. Naeem Ali Gujjar, Advocate for respondent/complainant Mr. Muhammad Zeeshan Babar, State counsel with Muhammad Malik, A.S.I.

Through this petition, petitioner (*Raja Rizwan Khizar*) has prayed for pre-arrest bail in FIR No. 274, dated 27.12.2021, under Sections 324, 427, PPC and 13/20/65 A.O, Police Station Nelore, Islamabad.

2- Heard the learned counsel for the petitioner, learned State Counsel and learned counsel for the complainant. The record has also been examined.

3- The instant pre-arrest bail petition is outcome of FIR No. 274 registered on 27.12.2021. The record is evident of the fact that in order to avail extra ordinary concession of pre-arrest bail, petitioner filed first pre-arrest bail petition on 28.12.2021. The same was dismissed in default due to his non-appearance vide order dated 13.01.2022. He then filed second pre-arrest bail petition on 15.01.2022, which was dismissed as withdrawn on the same day. Then before this Court on 18.01.2022, through the instant petition which is the 3rd pre-arrest bail petition.

4- It is thus obvious that the petitioner initially absented and then got withdrawn his second pre-arrest bail petition while the reasons that he had no knowledge about the court of learned Judge, which resulted in his non-appearance is nothing but an afterthought as no such stance had been taken in the second pre-arrest bail petition, dismissed as withdrawn on the same day.

5- The petitioner is accused of causing reckless firing on the inmates of his own house including his spouse with deadly weapon and then fleeing away while his track record depicts involvement in 15 cases of like nature.

6- In view of the law laid down by the Hon'ble Apex Court in *'Shahzaib and others v. The State'* **(PLD 2021 SC 886)** and '*Azam Saleem and another v. The State and others'* **(PLD 2021 SC 894**), no case for exercise of extra ordinary discretion in the third pre-arrest bail petition due to having unsatisfactory explanation is made out, while filing of repeated bail petitions has been deprecated by the Hon'ble Supreme Court of Pakistan in case law reported as **2015 SCMR 1394**.

7- The instant pre-arrest bail petition is accordingly **dismissed** and ad-interim pre-arrest bail petition already granted vide order dated 19.01.2022 is recalled.

(ARBAB MUHAMMAD TAHIR)
JUDGE

A.R.Ansari