

**HIGH COURT OF SINDH CIRCUIT COURT,
HYDERABAD**

R.A No.75 of 2026

[Danish vs. Mohammad Iqbal]

Appellant	:	Danish S/o Mohammad Aslam Through Ms. Naina Raj Naurang advocate
Respondent	:	Mohammad Iqbal S/o Naseer Mohammad Through Mr. Shakeel advocate, who is holding brief for respondent’s counsel
Date of hearing	:	31.08.2026
Date of decision	:	31.08.2026

ORDER

JAWAD AKBAR SARWANA J:- Danish Arain S/o Mohammad Aslam, applicant/defendant, is aggrieved by the Order dated 13.04.2026 passed by the VIIth Additional District Judge, Hyderabad (“the trial Court”), in Summary Suit No.239 of 2025 filed by the respondent/plaintiff- Muhammad Iqbal s/o Naseer Mohammad, wherein the learned trial Court rejected the application of the applicant/defendant for reconsidering the surety amount.

2. Counsel for the applicant/defendant has contended that as the proceedings under Section 489-F PPC concluded in favour of the applicant/defendant, in the circumstances, no case was made out for granting unconditional leave to defend, and the prayer for reducing the surety amount was/is liable to be allowed.
3. Mr Shakeel Ahmed Zai, Advocate, holding brief on behalf of the respondent’s counsel, attempted to submit photocopies of certain documents; however, the same have neither been taken on record nor considered for the purpose of deciding this revision, as these documents concern subsequent events, i.e. after the filing of the leave to defend application; as such, the same are not necessary for deciding the challenge to the impugned order dated 13.04.2026 concerning reduction of the quantum of the surety amount.
4. Heard learned counsel for the parties and perused the available record.
5. It appears that on 06.03.2026, the trial Court passed orders on the appellant/defendant’s leave to defend application granting leave subject to the applicant/defendant furnishing surety in the sum of Rs.30,00,000/- and

PR bonds in the like amount to the satisfaction of this Court within 15 days. The quantum of Rs.30,00,000/- was based on five dishonoured cheques. The record reveals that on 12.03.2026, the applicant/defendant filed an application for reduction of the surety from Rs.30,00,000/- to Rs.500,000/- on the ground that the applicant/defendant is poor and does not have the resources to arrange for funds in the tune of the higher amount. This application, at least, as per the record available in this revision does not appear to be supported by an affidavit. Accordingly, vide the impugned Order dated 13.04.2026, the applicant/defendant was once again/has been directed to submit the surety amount by the next date of hearing, and in case of failure, he shall stand debarred from filing a written statement.

I have perused the Order dated 13.04.2026, the memo of the revision, and arguments submitted by Counsel for the applicant/defendant. As discussed above, I am not impressed by the submissions to reduce the quantum of the surety on humanitarian grounds, and neither was the trial Court impressed with the contentions raised by the applicant/defendant. The leave-granting order dated 06.03.2026 has not been challenged in this revision, and I do not find any arbitrariness or capriciousness in the impugned Order dated 13.04.2026, passed after the leave-granting Order, to accept the applicant/defendant's plea for reduction of surety amount.

For the reasons above, this revision application stands dismissed.

JUDGE