

IN THE HIGH COURT OF SINDH AT KARACHI

Present:

Mr. Justice Amjad Ali Sahito

Criminal Misc. Application No.495 of 2021

Applicant : Pakistan Civil Aviation Authority
Through Rajesh Kumar, Advocate

Respondents : Abdul Raees and Faisal Manzoor
Ansari, through Mr. Agha Atta Khan,
Advocate

Respondent : The State
Through Ms. Rahat Ehsan, Addl.
Prosecutor General, Sindh.

Date of hearing : 11.04.2025

Date of order : 11.04.2025

ORDER

AMJAD ALI SAHITO, J -- Through the instant Criminal Miscellaneous Application, the applicant assails the impugned orders dated 21.06.2021, passed by learned Special Judge Karachi-Central in Bail Application Nos. 55 & 57 arising out of FIR No.23/2021 under Section 409, 420, 468, 471, 162, 109, 34 PPC R/w 5(2) of PCA, 1947, registered at P.S FIA, CC, Karachi on the ground that the learned trial court has passed illegal, erroneous, incorrect, without reasoning and non-speaking order. Being aggrieved by the aforementioned order, the applicant has preferred the present Criminal Miscellaneous Application.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Mr. Sandeep Kumar, Advocate holds brief for Mr. Rajesh Kumar, Advocate for the applicant seeks adjournment on the

ground that the latter is busy before another Bench. Such request is vehemently opposed by learned counsel for the respective parties and state that through this Criminal Misc. Application, the complainant Pakistan Civil Aviation Authority seeks recalling of the order passed by the learned trial in the year 2021. The request so made by learned counsel for the applicant is hereby declined; however, I have perused the record which reflects that on 21.06.2021, the bail was granted to the applicants, Abdul Raees and Faisal Manzoor Ansari.

4. After grant of bail, the charge was framed and the material witnesses were examined before the learned trial court. In the case of Rehmatullah v. The State (2011 SCMR 1332). The Honorable Supreme Court of Pakistan has held that once the trial is in progress no bail can be granted or rejected. Since, after grant of bail, the accused has not misused the concession of bail and there is no serious allegations against the applicant.

5. In view of the above, the instant Criminal Misc. Application is **dismissed**; however, learned trial court is directed to expedite the matter and conclude the same preferably within three months after receipt of his order.

JUDGE

Hyder/PA*