

ORDER SHEET  
IN THE HIGH COURT OF SINDH KARACHI  
**Cr. Bail Appl. No.1274 of 2024**

Date	Order with signature(s) of Judge(s)
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For hearing of Bail Application.

**09.09.2024.**

Mr. Fayyazuddin Rajper, Advocate along with the Applicants  
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General Sindh  
Mr. Kausar Ali Shar, Advocate for the complainant.

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**Muhammad Karim Khan Agha, J.** Applicants Muhammad Arshad and Adnan Ashraf have been booked in FIR No.404 /2023 under Section 489-F PPC registered at P.S Boat Basin, Karachi. They applied for pre-arrest bail which was declined by the Court IIIrd Additional Sessions Judge (South) Karachi. Hence, the applicants have approached this Court for pre arrest bail.

2. The brief facts of the case as per FIR are that the complainant entered into a compromise agreement with the applicants concerning the sale of business. The applicants had to pay a sum of Rs.75,00,000/- to the complainant. In the end Rs.65,00,000/- was paid and one cheque of Rs.10,00,00/- was bounced. Hence the aforesaid FIR was lodged.

3. I have heard learned counsel for the applicants as well as learned Assistant Attorney General and perused the record.

4. The offence under which the applicants have been charged carries maximum sentence of 03 years imprisonment and the general rule is that bail should be granted in such like cases unless exceptional circumstance exist. There is no exceptional circumstance existing in this case in order to decline the bail. The charge has already been framed hence applicants are no longer required for investigation. The case is based on documentary evidence which cannot be tampered with by the applicant. The amount involved i.e. Rs.10,00,000/- (Rupees Ten Lacs) is on the lower side.

5. Under these circumstances, the pre arrest bail as granted earlier to the applicants Muhammad Arsahd and Adnan Ashraf by this Court is hereby confirmed on the same terms and conditions.

6. The XIV Judicial Magistrate (South) Karachi is directed to decide the case on merits expeditiously. Copy of this order shall be sent to the XIVth Judicial Magistrate (south) Karachi for compliance.

7. The instant criminal bail application is disposed of in the above terms.

JUDGE