

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI

Crl. Bail Appl. No.1454 of 2024
Crl. Bail Appl. No.1455 of 2024
Crl. Bail Appl. No.1457 of 2024

Date	Order with signature of Judges
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For hearing of Bail Application.

22.10.2024.

Syed Zainuddin, Advocate along with Applicants
Mr. Mansoor Hussain Memon, Advocate along with Applicants.
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General.
Mr. Zeeshan Shaikh, Advocate for Complainant.

Mohammad Karim Khan Agha, J:- By this common order I propose to dispose of these bail applications as the same are arising out from one and same FIR.

2. Applicants Nimra Shakir, Umair Ahmed Siddiqui, Imran Baig and Farah Naeem were booked in FIR No.212/2024 under Section 406/408/468/471/34 PPC registered at PS New Town, Karachi. They had applied for pre arrest bail before the Court of IVth Additional Sessions Judge (East) Karachi which was declined vide order dated 26.06.2024. Hence the applicants have approached this Court for pre arrest bail.
3. Brief facts of the case as per FIR are that the applicants were working in the complainant's company and used to collect various amounts from the clients of the complainant. The allegation against the applicants is that the applicants were deposited some of the amounts into the account of company and remainder of money they were keeping for themselves. Hence the aforesaid FIR was lodged against the present applicants.
4. I have heard learned counsel for the applicants. Learned Addl. Prosecutor General Sindh and learned counsel for the complainant have vehemently opposed to the grant of bail.
5. The maximum sentence available for the offences under which the applicants have been charged carry less than 07 years imprisonment and the general rule is that bail should be granted

in such like cases unless exceptional circumstances exist. There is no exceptional circumstance existing in this case in order to decline the bail. The case is based on the documentary evidence which cannot be tampered with by the applicants. According to the learned counsel for the applicants final challan has been submitted and charge is to be framed on the next date of hearing as such the applicants are no longer required for further investigation.

6. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier on 01.07.2024 to the applicants Nimra Shakir, Umair Ahmed Siddiqui, Imran Baig and Farah Naeem on the same terms and conditions.

7. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing on the trial of the applicants which shall be decided by the concerned trial Court within 03 months of the date of this order and no adjournment on any flimsy ground shall be allowed. In the event if the applicants misuse the concession of bail, the complainant shall be free to approach relevant forum for cancellation of their bail. Copy of this order shall be sent to XVIIIth Judicial Magistrate (East) Karachi for compliance.

8. The instant criminal bail application stands disposed of in the above terms.

JUDGE

MAK/PS