

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI
Crl. Bail Application No.1601 of 2024.

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

09.10.2024.

Kkhawaja Muhammad Azeem,m Advocate for the Applicant.
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General.

Mohammad Karim Khan Agha, J:- Applicant Ayoob Khan was booked in FIR No.446/2024 under Section 468/471/420/34 registered at PS Malir City, Karachi. He applied for post bail before the Court of Additional Sessions Judge-VI Malir Karachi which was declined vide order dated 18.07.2024. Hence the applicant has approached this Court for post arrest bail.

2. Brief facts of the case as per FIR are that the applicant entered into a partnership agreement with the Complainant Afridi. Applicant had submitted an application with false, fake and forged stamp paper on 20.12.2021 having forged and bogus signatures of the complainant. Hence the aforesaid FIR was lodged against the applicant.

3. I have heard learned counsel for the applicant and learned Addl. Prosecutor General Sindh. On the last date of hearing learned counsel for the complainant was called absent. Today I have been informed that learned counsel for the complainant is busy in his personal work at Hyderabad. This is a post arrest bail application and the learned Addl. P.G looking after the interest of the complainant as the applicant cannot be left languishing behind the bar simply because learned counsel for the complainant fails to put his appearance. In the event learned Addl. P.G. has vehemently opposed the grant of bail.

4. The maximum sentence available for the offence under which the applicant has been charged is 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 the applicant cannot tamper with the same. The charge is about to be framed as such the applicant is no longer required for investigation.

5. In my view this is a case of further inquiry against the applicant. He has already spent about 7 months in jail and the trial has not even started.

6. Based on the above discussion the applicant **Ayoob Khan s/o Umar Khan** is admitted to post arrest bail subject to furnishing his solvent surety in the sum of Rs.2,00,000/- (Rupees Two Lacs) and PR Bond in the like amount to the satisfaction of the Nazir of the concerned trial Court.

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 applicant which shall be decided by the concerned trial Court based on the evidence placed before it expeditiously.

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

JUDGE

MAK/PS