

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Misc. Appln No.697 of 2025

Date	Order with Signature of Judge
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Fresh case

1. For order on MA No.11072/2025
2. For order on MA No.11073/2025
3. For hearing of main case
4. For order on MA No.11074/2025

07.08.2025

Mr. Muhammad Nadeem Khan, Applicant for the applicant.

1. Urgency granted.
2. Exemption is granted subject to all just exceptions.

3&4. This application under Section 561-A CrPC has been filed by Muhammad Waqas Akram, who entered into a compromise agreement with the respondent No.4 (Shaikh Idrees). In terms of compromise there was a cheque that was issued by the applicant which as contended by the applicant's counsel pursuant to the terms of agreement (available on pages 49 to 51 of the file) had to be encashed after 15.05.2025 when payment of installments would become due under the agreement, however, the cheque in question was presented for collection at the bank by respondent No.4 (Shaikh Idrees), prior to the said date and got bounced/dishonoured. Upon the cheque being dishonoured, respondent No.4 (Shaikh Idrees), filed an application under Section 22-A Cr.P.C.before the Ex-Officio Justice of Peace. A perusal of the payment term of the dishonoured cheque in the agreement reveals that it was meant to be encashed on 15.04.2025, whereas another term mandates an instalment payment to become due and payable from 15.05.2025 onwards. The Ex-Officio Justice of Peace determined that, based on information available, a statement of the applicant was called for recording before law enforcement, and if a case is/was made out, then for further proceedings. Applicant Muhammad Waqas Akram, aggrieved by this order, has come before this Court. The applicant has made out no case for any defect in this impugned order. It is expected that the I.O. will record the statements of the parties concerned. Accordingly, this Cr. Misc. Application is dismissed in the above terms.

J U D G E

Asif