

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-209 of 2025

Applicant: Mst. Razia wife of Muhammad Shareef Qureshi,
Through Mr. Afzal Karim Virk, Advocate.

Respondent: The State.
Through Mr. Neel Parkash, D.P.G.

Complainant: Muhammad Luqman son of Muhammad Juman
in person.

Date of hearing:08.08.2025

Date of order: 08.08.2025

O R D E R

Amjad Ali Sahito, J: Through this Bail Application, the applicant/accused seeks pre-arrest bail in Crime No.83/2025 for offence under section 489-F, 420, 506(i) P.P.C registered at PS Town, after her bail plea has been declined by the learned Additional Sessions Judge-II, Mirpurkhas vide order dated 01.08.2025.

2. The details and particulars of the F.I.R are already available in bail application and the F.I.R, as such, need not to reproduce the same hereunder.

3. Per learned counsel, the applicant/accused is innocent and the complainant has falsely implicated the applicant in this case. The F.I.R is delayed by about 05 months, for which no plausible explanation has been furnished by the complainant. The complainant has not given any documentary evidence in respect of the given amount to the applicant nor submitted any receipt to the police as part of the evidence. He further submits that the offence under section 489-F P.P.C is bailable for a lady accused and does not fall within the ambit of the prohibitory clause of Section 497 Cr.P.C. He further submits that a Cultus car was delivered to the complainant in the sum of Rs. 6,50,000/-, and the complainant has received the cheque from the applicant. Lastly, he prayed for confirmation of the bail.

4. On the other hand, learned D.P.G has vehemently opposed for grant of bail to the applicant/accused. Complainant Muhammad Luqman has also opposed for grant of bail.

5. Heard and perused.

6. The case of the complainant is that in the year 2024, for the purpose of visas for performing Umrah, the mother of the complainant and other relatives paid an amount of Rs.22,10,000/- for 12 visas to Al-Saudi Razia Madina Travelers, namely Mst. Razia, the present applicant. When the applicant failed to provide visas and other documents, they requested the return of the amount, and she issued cheque No.63994532 dated 25.01.2025 amounting to Rs.12,00,000/-, cheque No.63994534 amounting to Rs.1,80,000/-, cheque No.63994535 amounting to Rs.1,80,000/-, and cheque No.63994536 amounting to Rs.1,85,000/-, totaling Rs.17,45,000/-. When all the cheques were deposited in UBL Bank, M.A Jinnah Road, Mirpurkhas, the same were returned due to insufficient funds. Hence, the ingredients of Section 489-F P.P.C are very much applicable in this case. Furthermore, the applicant knew that no amount was lying in her account, and even then, she issued cheques, which shows that she committed cheating and fraud with the complainant. The applicant has not denied the issuance of the cheques or her signatures.

7. Furthermore, learned counsel for the applicant contends that, in addition to the amount of Rs. 17,45,000/-, the applicant had also delivered a Cultus motor vehicle to the complainant party for a consideration of Rs. 6,50,000/-, although the market value of the said vehicle is Rs. 15,00,000/-. Conversely, the complainant, who is present before this Court, denies having received any such vehicle and asserts that the said car is presently parked at Police Station Town. The Investigating Officer, who is also in attendance, corroborates the statement of the complainant and confirms that the vehicle in question is lying at the said police station.

8. At this bail stage, only a tentative assessment is to be made for the grant of bail. Sufficient material is available on record to connect the applicant with the commission of the offence. No allegation of ill-will or mala fide has been attributed by the

applicant against the complainant party. Learned counsel for the applicant/accused has failed to make out the case for grant of bail. Accordingly, the bail application filed on behalf of the applicant/accused stands **dismissed**. The interim bail granted to the applicant/accused vide order dated **05.08.2025** is hereby **recalled**.

9. The observations made in this decision are of a tentative nature and will not influence the merits of the case.

JUDGE

****Faisal****