

**IN THE HIGH COURT OF SINDH AT KARACHI**

Crl. Bail Application No. 1185 of 2025

Applicant : Abdul Jabbar  
through Ms. Wajiha Aman,  
Advocate

Complainant : Parkash Kumar  
through Mr. Mukesh Kumar,  
Advocate

Respondent : The State  
through Ms. Robina Qadir,  
Deputy Prosecutor General Sindh

Date of hearing : 04.06.2025

Date of Short Order : 04.06.2025

Date of reasons : 06.08.2025

**ORDER**

Omar Sial, J: Abdul Jabbar seeks post arrest bail in Crime Number 418 of 2023, registered under section 489-F P.P.C at the Mahmoodabad police station in Karachi.

2. The F.I.R mentioned above was registered on 01.11.2023 on the complaint of Parkash Kumar. Parkash recorded that he is into the construction business and he had given Rs. 8.5 million to Jabbar in May, 2023 for purchase of construction material. The material was not provided and when Parkash asked for his money, Jabbar gave him five cheques of different amounts which bounced when presented at the banks counter for clearance.

3. I have heard the learned counsels for the applicant and the complainant as well as the Deputy Prosecutor General. My observations and findings are as follows.

4. The evidence collected so far does not establish the purpose for which the cheques were issued. It will have to be determined at trial whether they were issued for the fulfilment of an obligation or satisfaction of a loan. An essential ingredient of a section 489-F P.P.C. the mens rea of the applicant will also have to be determined as an offence under section 489-F P.P.C. is not a strict liability offence. Further inquiry is required for this aspect.

5. An offence under section 489-F P.P.C. carries a potential sentence of three years and though non-bailable falls within the non-prohibitory clause of section 497 Cr.P.C. Keeping in mind the principles enunciated in Tariq Bashir and five others vs The State (PLD 1995 SC 34), I do not see any exceptional or extraordinary ground to deny the applicant bail.

6. Above are the reasons for the short order dated 04.06.2025.

JUDGE