

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Cr. Bail Appl. No.2242 of 2023

Date	Order with signature of Judges
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For hearing of Bail Application

27.02.2024.

Mr. Sameer Hussain Samo, Advocate for the applicant.
Mr. Israr Ahmed Abro, Advocate for the complaint.
Mr. Abrar Ali Khichi, Additional Prosecutor General Sindh.

Mohammad Karim Khan Agha, J. Applicant Rashid Mehmood S/o. Gul Zaman has been booked in FIR No.391/2020 under section 489-F PPC registered at PS Sharifabad, Karachi. He applied for pre-arrest bail before the Court of Vth Additional District & Sessions Judge Karachi Central which was recalled vide order dated 02.10.2023, hence, the applicant has approached this Court for pre-arrest bail.

2. Brief facts of the case are that the applicant is a Travelling Agent who paid the security deposit around Rs.1,00,00,000/- to Continental Insurance Limited as surety which when deposited by the complainant in the Bank the same bounced, hence the aforesaid FIR has been lodged against the applicant.

3. I have heard the parties and perused the record.

4. The offence for which the applicant has been charged carries the maximum sentence of 03 years imprisonment and in such like cases the general rule is that bail should be granted unless some exceptional circumstances exist, which justifies the refusal of bail. In this case no such exceptional circumstances exist. The case is based on documentary evidence which cannot be tampered with by the applicant. The trial court has already taken the cognizance of the offence and as such the applicant is no longer required for investigation.

5. Under these circumstances the pre-arrest bail earlier granted by this Court on 06.10.2023 to the applicant Rashid

Mehmood S/o. Gul Zaman is confirmed on the same terms and conditions.

6. 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 outcome of the trial of the applicant which shall be decided by the concerned trial Court on merits based on the evidence placed before it. The trial court is directed to complete the trial within 03 months of the date of this order. Copy of this order shall be sent to Vth Additional District & Sessions Judge Karachi Central for compliance.

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

JUDGE

M. Arif