

ORDER SHEET
IN THE HIGH COURT OF SINDH, AT KARACHI.

Criminal Bail Application No.19 of 2024

Date	Order with signature of Judge
------	-------------------------------

For hearing of bail application.

18.01.2024.

Mr. Salman Ahmed, Advocate for the applicant.
Complainant is present in person.
Mr. Abrar Ali Khichi, Additional Prosecutor General.

MOHAMMAD KARIM KHAN AGHA, J:- The Applicant Syed Muhammad Qasim S/o. Syed Kamal Ahmed is facing trial before the XVth Judicial Magistrate Karachi East in respect of FIR No.765/2023 U/s. 489-F PPC registered at P.S. Shahrah-e-Faisal, Karachi. The applicant approached the Additional Sessions Judge East, Karachi for pre-arrest bail which was declined vide order dated 02.12.2023 and as such he has now approached this Court for pre-arrest bail.

2. The brief facts of the case are that applicant issued cheques worth Rs.49,00,000/- and Rs.20,00,000/- to the complainant for investment purposes. Both the aforesaid cheques were bounced, hence the aforesaid FIR was lodged against the applicant.

3. I have heard learned counsel for the applicant, complainant in person and the learned Additional Prosecutor General Sindh and perused the record.

4. The offence under section 489-F PPC carries the maximum sentence of 03 years imprisonment. The general rule in such like cases is that bail should be granted unless there are exceptional circumstances for declining the bail. There are no exceptional circumstances exist in this case. The charge has been framed and the evidence is being led in this case and as such the applicant is no longer required for investigation. The case

revolves around the documentary evidence and as such there is no chance of the applicant tampering with the same.

5. Keeping in view the above discussion, the pre-arrest bail earlier granted to the applicant Syed Muhammad Qasim S/o. Syed Muhammad Kamal is confirmed on the same terms and conditions. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing of the outcome of the trial of the applicant which shall be decided by the concerned trial Court based on the evidence placed before it.

6. This pre-arrest bail application is disposed of in the above terms.

JUDGE

M. Arif