

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

**Criminal Bail Application No.2342 of 2023**

Date	Order with signature of Judge
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For hearing of bail application.

**17.01.2024.**

Applicant Muhammad Furqan is present in person.  
Mr. Muhammad Tariq Abbasi, Advocate for the complainant.  
Mr. Saleem Akhtar Buriro, Additional Prosecutor General.  
SIP Rashiur Rehman, PS Gizri.  
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**MOHAMMAD KARIM KHAN AGHA, J:-** The Applicant Muhammad Furqan S/o. Abdul Hayee is facing trial before the IXth Judicial Magistrate (South) Karachi in respect of FIR No.212/2023 U/s. 489-F PPC registered at P.S. Gizri, Karachi and vide order dated 16.10.2023 his pre-arrest bail was declined by the Additional Sessions Judge-IX Karachi (South), hence he has approached this Court for pre-arrest bail.

2. The brief facts of the case are that applicant owed Rs.24,00,000/- from the complainant and gave him numerous cheques in respect of the same. These cheques when presented before the concerned bank were bounced, hence the aforesaid FIR was lodged against the applicant.

3. I have heard the parties 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. According to the applicant and as confirmed by learned counsel for the complainant, out of Rs.24,00,000/- which the applicant owed from the complainant Rs.17,00,000/- have already been paid to the complainant and the parties have now compromised the matter. Furthermore, the case revolves around documentary evidence which cannot be tempered with



by the applicant. The amount left to pay is Rs.700,000/- which relatively is minor. Under these circumstances, the ad-interim pre-arrest bail earlier granted to the applicant Muhammad Furqan S/o. Abdul Hayee 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.

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

JUDGE

*M. Arif*