

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

Criminal Bail Application No.2337 of 2023

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

For hearing of bail application.

15.01.2024.

Applicant Umar Adil Ghaznavi is present in person.
Mr. Abrar Ali Khichi, Additional Prosecutor General Sindh.

MOHAMMAD KARIM KHAN AGHA, J:- The Applicant Umar Adil Ghaznavi S/o. Khawaja Ahmed Ghaznavi present in person is being tried before the Additional Sessions Judge-III/Model Criminal Trial Court Malir, Karachi in respect of FIR No.662/2023 U/s. 489-F PPC registered at P.S. Malir City, Karachi and vide order dated 26.09.2023 his pre-arrest bail was declined by that court, hence he has approached this Court for pre-arrest bail.

2. The brief facts of the case are that applicant issued a cheque for business purpose to the complainant for Rs.15,00,000/-. However, when the said cheque was presented before the concerned Bank the same bounced, hence this FIR was lodged against him.

3. I have heard the applicant in person in the absence of his counsel who is called absent. Learned counsel for the complainant is also called absent without intimation despite this being a date fixed matter. I have also heard 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 in this case. Furthermore, the amount involved is relatively minor one being Rs.15,00,000/-. The case

revolves around documentary evidence which cannot be tempered with by the applicant. As such based upon the above discussion the pre-arrest bail already granted to the applicant Umar Adil Ghaznavi S/o. Khawaja Ahmed Ghaznavi 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