

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

Criminal Bail Application No.2449 of 2023

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

22.01.2024.

Mr. Tariq Hassan, Advocate for the applicants.
Mr. Abrar Ali Khichi, Additional Prosecutor General.

MOHAMMAD KARIM KHAN AGHA, J:- The Applicants Ali Asghar S/o. Muhammad Hussain and Sumeet Faraz S/o. Muhammad Faraz are facing trial before the IIIrd Judicial Magistrate Malir Karachi in respect of FIR No.451/2023 U/s. 406/408 PPC registered at P.S. Sukkhan, Karachi. The applicants applied for pre-arrest bail before the Additional Sessions Judge-VI Malir, Karachi which was declined vide order dated 25.10.2023, hence the applicants have approached this Court for pre-arrest bail.

2. The brief facts of the case are that the complainant is running a Garments Factory and the applicants were working for him and on receiving bribes they gave away trade secrets concerning the company to their competitors, hence the FIR has been lodged against them.

3. I have heard learned counsel for the parties and perused the record. Learned counsel for the complainant was called absent.

4. Both the offences for which the applicants have been charged carries maximum sentence upto 07 years imprisonment and the general rule is that bail should be granted unless some exceptional circumstances exist which warrants refusal of the bail. The case is purely based on documentary evidence and as such there is no chance of the same being tampered with. The charge has been framed and as such the applicants are no longer required in the investigation. Furthermore, no recovery of any bribe has been recovered from either of the applicants and the applicants

Sumeet Faraz is not even named in the FIR with any role. Under these circumstances the pre-arrest bail granted earlier to the applicants Ali Asghar S/o. Muhammad Hussain and Sumeet Faraz S/o. Muhammad Faraz by this Court 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 applicants which shall be decided by the concerned trial Court 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. A copy of this order shall be sent to IIIrd Judicial Magistrate Malir Karachi for compliance.

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

JUDGE

M. Arif