

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**Cr. Bail Appl. No.48 of 2024**

Date	Order with signature of Judges
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For hearing of Bail Application

**22.01.2024.**  
Applicant in person.  
Complainant in person.  
Mr. Abrar Ali Khichi, Additional Prosecutor General Sindh.

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**Mohammad Karim Khan Agha, J.** Applicant Abdul Ahad is facing trial in respect of FIR No.300 of 2023 of PS Garden, Karachi lodged under Section 489-F/420/34 PPC. He applied for pre-arrest bail which was declined vide order dated 12.12.2023 by V-Additional Sessions Judge (South) Karachi. Hence, the applicant has approached this Court for pre-arrest bail.

2. Brief facts of the case are that the applicant is involved in the business of cattle trading with the complainant. An amount of Rs.38,00,000/- is payable by the applicant to complainant in respect of which he has issued number of cheques, however, when the same were deposited before the concerned bank such cheques were bounced hence the FIR was lodged against the applicant under Section 489-F Cr.PC.

3. I have heard the learned counsel for the parties and learned Addl. Prosecutor General Sindh.

4. It is an admitted position that offence under Section 489-F PPC carries maximum sentence of 03 years in jail and in such likes cases the general rule is that bail should be granted unless exceptional circumstance exists which justify the refusal of bail. In this case learned Additional Prosecutor General, Sindh has not been able to point out any exceptional circumstances. The amount involved is not huge being only Rs.38,00,000/-. The case also revolves around documentary evidence as such there is no chance for the applicant to tamper with the evidence. The applicant is also no longer required for investigation.

5. Based on the above discussion, I find that the applicant has made out a case for pre-arrest bail as such his pre-arrest bail granted earlier by this Court on 08.01.2024 is confirmed on the same terms and conditions.

6. This order is based only on a tentative assessment of the evidence and the learned trial Court shall proceed and decide the same on merits within three (03) months of the date of this order. Copy of this order shall be sent to Additional Sessions Judge-V Karachi for compliance.

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

JUDGE