

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Cr. Bail Appl. No.2581 of 2023

Date

Order with signature of Judges

For hearing of Bail Application

16.01.2024.

Applicant present in person.

Mr. Abrar Ali Khichi, Additional Prosecutor General Sindh.

Mohammad Karim Khan Agha, J. Applicant Touseef Ahmed Siddiqui is facing trial in respect of FIR No.915 of 2023 of PS Gulistan-e-Jauhar, Karachi lodged under Section 489-F PPC. He applied for pre-arrest bail which was declined vide order dated 30.10.2023 by Additional Sessions Judge-XIVth (East) Karachi. Hence, the applicant has approached this Court for pre-arrest bail.

2. Brief facts of the case are that the applicant issued a cheque of Rs.7,15,000/- to the complainant. However when cheque was submitted it was bounced hence the FIR was lodged against the applicant under Section 489-F Cr.PC.

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

4. It is an admitted position that under Section 489-F Cr.PC carries maximum sentence of 03 years in jail and the general rule in such like cases bail should be granted unless exceptional circumstances exist. In this case learned Additional Prosecutor General, Sindh has not been able to point out any exceptional circumstances. The amount involved is relatively meager being around rupees Seven lac Fifteen Thousand (Rs.7,15,000/-). The case also revolves around documentary evidence as such there is no chance for the applicant to temper with the evidence. The applicant is also no longer needed 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 by this Court on 13.11.2023 is confirmed on the same terms and conditions. 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-XIVth (East) Karachi for compliance.

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

JUDGE