

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Criminal Bail Application No.S- 737 of 2024

26.08.2024.

Mr. Jehanzaib @ Jansher Memon, Advocate for applicant
alongwith applicant (on bail).

Complainant present in person.

Ms. Sana Memon, A.P.G for State alongwith IO / ASI
Ghulam Shabir Abro PS Tando Muhammad Khan.

ORDER

ZAFAR AHMED RAJPUT, J.- Through instant Criminal Bail Application, applicant Arshad Ali son of Khair Muhammad seeks pre-arrest bail in Crime No.156/2024 registered at Police Station Tando Muhammad Khan for offence under Section 489-F PPC. His earlier application for the same relief bearing Cr.B.A.No.364 of 2024 was heard and dismissed by the learned Additional Sessions Judge-I, Tando Muhammad Khan vide order dated 08.07.2024. He was admitted to interim pre-arrest bail by this Court vide order dated 09.07.2024, now the matter is fixed for confirmation of interim bail or otherwise.

2. Heard learned counsel for the applicant, complainant in person, as well as learned A.P.G and perused the material available on record.

3. It appears that after investigation, police has submitted challan before the Court concerned in the instant case. The alleged cheque was issued on 15.05.2024 amounting to Rs.300,000/- (Rupees Three Lac) which was dishonoured by the Bank on presentation on 11.06.202; however it is a matter of record that a compromise decree dated 21.05.2024 was passed in F.C. Suit No.73/2023 filed by present applicant and another against the complainant and Government officials, which shows that entire consideration amount has been paid / handed over to the complainant by applicant. However, it is the contention of complainant that said fact was recorded in compromise decree on the undertaking of applicant that he would pay the outstanding amount of

sale consideration to him. The learned counsel for applicant however, states that applicant was admitted to interim pre-arrest bail subject to his furnishing solvent surety in the sum of Rs.30,000/- (Rupees Thirty Thousand) and he is ready to furnish the surety amount equivalent to the amount of cheque, for that complainant has recorded his no objection. Accordingly, interim pre-arrest bail already granted to the applicant vide order dated 09.07.2024 is hereby confirmed subject to furnishing additional surety by the applicant for remaining amount of cheque i.e Rs.2,70,000/- (Rupees Two Lac Seventy Thousand) and P.R Bond in the like amount to the satisfaction of Additional Registrar of this Court within Fifteen (15) days hereof. In case of failure in furnishing the additional surety for the said amount within stipulated period, this Criminal Bail Application shall stands dismissed automatically.

Criminal Bail Application stands disposed of in above terms.

JUDGE

Tufail