

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Crl. Bail Appln. No.S-75 of 2022.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objection 'A'.
2. For hearing of bail application.

30.05.2022.

Mr. Muhammad Afzal Jagirani, advocate, for the applicant along with applicant on bail.

Mr. Ali Anwar Kandhro, Addl. P. G.

Mr. Amanullah Luhar, advocate for the complainant.

ORDER.

MUHAMAD SALEEM JESSAR-J Through instant bail application, applicant Imdad Ali son of Habibullah Noonari, seeks pre arrest bail in Crime No.146 of 2021 registered at Police Station A-Section Thull, District Jacobabad, for offence punishable under section 489-F, PPC.

2. Facts of the prosecution case as enunciated in the F.I.R are that complainant Manzoor Ahmed lodged F.I.R on 04.12.2021 at 1700 hours, stating therein that about 04 months prior, the accused Imdad Ali had obtained Rs.1500,000/- for appointment of the complainant as P.S.T, but the accused neither appointed him as P.S.T nor returned the amount to the complainant. Subsequently, the accused given cheque No.41592419 amounting to Rs.15,00,000/-, which was dishonored by the concerned Bank due to insufficient funds. Hence complainant lodged F.I.R against the present accused.

3. Applicant is present in person on bail; however, Mr.Muhammad Afzal Jagirani, advocate files his Vakalatnama on his behalf to represent him along with copies of depositions as well as documents under the cover of statement dated.30.05.2022, taken on record. Mr. Jagirani, submits that entire prosecution witnesses have been examined, therefore, the case has been concluded and now it is at the verge of statement of accused. He next submits that at this juncture dismissal of this bail application will prejudice the case of the applicant and it will be appropriate to grant the application as the applicant had

not misused the concession of bail extended to him and it is why the trial has successfully been concluded.

4. Learned Addl. P. G appearing for the State has no objection for grant of instant bail application; however, Mr. Amanullah Luhar counsel for the complainant submits that entire prosecution witnesses have been examined and now the case is at the verge of completion of trial. He; however, opposes the bail application on the ground that huge amount has been usurped by the applicant.

5. Heard arguments of learned counsel for the applicant, learned counsel for the complainant and learned Addl. P. G appearing for the State and perused the material available on record with their assistance.

6. Looking to the above facts, I am also of the view that the case is at the verge of conclusion; besides the offence with which the applicant has been charged carries maximum punishment upto three years. I am of the view that the case against the applicant requires further enquiry within the meaning of subsection (2) of Section 497 Cr.P.C. Consequently, the bail application is hereby allowed. Interim bail granted to the applicant on 16.02.2022 is hereby confirmed on the same terms and conditions.

7. The applicant present is directed to continue his appearance, before trial Court till final decision of main case. A copy of order may be communicated to trial Court for compliance.

~~Judge~~

M.Y.Panhwar/**