

**IN THE HIGH COURT OF SINDH KARACHI**  
**Cr. Bail Application No.1979 of 2025**

Applicant : Farraj Ali son of Shah Zaki-ur-Rehman  
Through M/S Ammad Ghaffar & Saddam  
Hussain, Advocates

Respondent : The State  
Through Mr. Ali Raza Abbasi, APG

Date of hearing : 14.05.2026  
Date of order : 14.05.2026

**ORDER**

**MIRAN MUHAMMAD SHAH, J:-** Through this bail application, the applicant Farraj Ali son of Shah Zaki-ur-Rehman, seeks pre-arrest bail in Crime No.215 of 2025, registered at Police Station SITE B, under sections 489-F, PPC. Earlier his bail application was dismissed by the learned Additional Sessions Judge-VII, Karachi West, vide order dated 26.07.2025. He was admitted to interim pre-arrest bail by this court, vide order dated 30.07.2025, and the matter is now fixed for confirmation of the same or otherwise.

2. The facts of the case need not be reproduced herein, as the copy of FIR is attached with the bail application and the facts are also stated in detail therein.

3. I have heard learned counsel for the applicant, as well as learned APG and perused the record.

4. From the perusal of the record it reflects that the cheque in question was issued merely as a security and not towards discharge of any existing liability. The material available on record also shows that the said cheque was subsequently got stopped at the request of the applicant and the payment dispute between the parties had already been resolved prior to registration of the present case. It also transpires from the record that the cheque in question was originally issued in the name of "USSA Enterprises";

however, the complainant allegedly altered the instrument by removing the name of the said company and inserting his own name, namely Azizullah without making initial on it. It further appears from the record that the controversy is of purely civil nature but has been given criminal colour by the complainant. It is also noteworthy that almost the prosecution evidence has been recorded and only cross-examination of the complainant remains to be conducted. The offence alleged against the applicant carries punishment up to three years and admittedly does not fall within the prohibitory clause of Section 497, Cr.P.C., wherein grant of bail is a rule and refusal is an exception. Learned A.P.G. has opposed the confirmation of bail on the ground that a huge amount is involved in the matter and that the complainant should be heard. However, despite sufficient opportunities, the complainant has failed to appear before this Court for a considerable period and the matter cannot be kept pending indefinitely awaiting his appearance. The applicant has remained on interim pre-arrest bail and there is nothing on record to suggest that he has misused the concession of bail. On the contrary, the applicant has joined the investigation/trial. In the circumstances, the case of the applicant calls for further inquiry within the meaning of Section 497(2), Cr.P.C. Accordingly, the applicant has successfully made out a case for confirmation of pre-arrest bail. Consequently, interim pre-arrest bail already granted to the applicant vide order dated 30.07.2025 is hereby confirmed on the same terms and conditions.

5. Needless to mention here that the observations made herein above are tentative in nature and would not influence the trial court while deciding the case of the applicant on merits.

Criminal bail application stands disposed of.

**JUDGE**

