

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No. 1118 of 2026

Applicant : Ghulam Mustafa
son of Muhammad Usman Mehar
Through Mr. Shahid Shabbir, advocate

Complainant : Muhammad Yameen
son of Lal Din Rehmani
through Mr. Shouban Ali Pahore, advocate

Respondent : The State
Through Mr. Sharafuddin Kanhar, A.P.G
Sindh

Date of hearing : 09.06.2026.

Date of order : 09.06.2026.

ORDER

Jan Ali Junejo, J.— Applicant Ghulam Mustafa son of Muhammad Usman Mehar seeks pre-arrest bail in a case bearing Crime No. 580/2025, for offence under section 489-F PPC of P.S Ferozabad, Karachi. Prior to this, the applicant had sought the same relief before the learned Additional Sessions Judge-XI, Karachi East, which was declined vide order dated 03.04.2026. He was admitted to interim pre-arrest bail by this court vide order dated 14.04.2026, now the matter is fixed for confirmation of interim bail or otherwise.

2. The accusation against the applicant as per contents of FIR lodged by the Complainant is that he issued a post-dated cheque leaf bearing No.30732709 amounting to Rs.1,25,00,000/- and cheque leaf bearing No. 30732710 amounting to Rs.1,25,00,000/- in favor of complainant, which was dishonored on presentation before the bank concerned due to insufficient funds. Such F.I.R No.580/2025, was registered under Section 489-F PPC at Police Station Ferozabad against the applicant.

3. Heard and perused record.

4. As per the contention of the learned counsel for the applicant, the applicant has been falsely implicated with mala fide intention. He contends that the FIR has been lodged with unexplained delay of five months, that the essential ingredients of Section 489-F PPC, including dishonest intention and mens rea at the time of issuance of cheque, are completely missing, and that the applicant has joined investigation and has not

misused the concession of interim protection; therefore, he prays that the pre-arrest bail be confirmed.

5. The A. P. G. Sindh while not opposing the grant of bail, recorded his no objection to the instant application in view of the affidavit of no objection filed by the complainant, same is taken on record, wherein he has expressly raised no objection to the applicant being admitted to bail.

6. Notably, the complainant has since submitted an affidavit in which he has raised no objection to the grant of bail to the applicant. This has resulted in two conflicting versions, one set forth in the FIR and the other contained in the complainant's affidavit. Such divergence creates a situation where the veracity of the complainant's statement and his credibility can only be determined at the time of trial, after the recording of evidence. The law is very liberal especially when it is salutary principle of law that in the offences which do not fall within prohibitory clause, the grant of bail is a rule while its refusal is merely an exception. Accordingly, the interim bail already granted to the applicant vide order dated 14.04.2026 is confirmed on same terms and conditions.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant on merits. However, in case the applicant misuses the concession of bail in any manner, the trial Court shall be at liberty to cancel the same after giving him notice, in accordance with law.

J U D G E