

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Cr. Bail Application No.S-286 of 2026

Applicant: Badal s/o Sadho through,
Mr. Anand Kumar Khatri, advocate

Complainant: Ghulam Mustafa through Mr. Muhammad
Rafique Mangrio, advocate

Respondent: The state through Mr.Neel Parkash
Deputy P.G.

Date of Hearing: 28.07.2026

Date of Order: 28.07.2026

O R D E R

Khalid Hussain Shahani, J:- Applicant, Badal seeks pre-arrest bail in connection with Crime No.30 of 2026, registered under Section 489-F, P.P.C at P.S. Khipro. It merits mention at the outset that the applicant's earlier recourse to the concurrent jurisdiction proved unavailing, the learned Additional Sessions Judge, Khipro, having declined the relief sought vide order dated 10.04.2026.

2. The prosecution's version, as reflected in the record, is that on 10.09.2025, the applicant, Badal arrived at the complainant's village at about 11:00 a.m. and negotiated the purchase of a buffalo for a sale consideration of Rs. 3,80,000/-, transacted in the presence of witnesses Abdul Hakeem and Noor Muhammad Rajar. Of the total consideration, Rs. 14,000/- was paid as earnest money, while the residual sum of Rs. 3,66,000/- was sought to be discharged through Cheque No. 83537973, dated 10.10.2025, drawn upon Account No. 010900335208968 maintained with United Bank Limited, Khipro Branch. Upon presentation for encashment through the complainant's account with Bank Alfalah, Khipro Branch, the instrument was dishonored and returned

unpaid, as evidenced by the return memo dated 17.11.2025. It was in consequence of this dishonor, and upon an application moved before the competent Court directing registration of a criminal case, that the instant F.I.R. came to be lodged.

3. Today, the applicant is present in person, though learned counsel representing him is conspicuous by his absence. Learned counsel appearing for the complainant, however, candidly and unequivocally submits that the parties have buried the hatchet, the complainant having received the entire cheque amount of Rs. 3,66,000/- from the applicant in full and final satisfaction of his claim. He accordingly records no objection to the confirmation of bail, further submitting that a formal compromise application shall be placed before the learned Trial Court in due course to crystallize this settlement on record.

4. It is by now well-settled that offences of a predominantly private and compoundable character such as the one at hand under Section 489-F, P.P.C. are designed not merely to penalize, but to afford aggrieved parties a meaningful avenue for restitution and reconciliation. Where, as here, the complainant himself, having realized the entirety of the cheque amount, expressed no continuing grievance and voiced no objection to the grant of bail, the underlying purpose of the penal provision stands substantially achieved, rendering the continued invocation of custodial process both punitive beyond necessity and inconsistent with the restorative spirit of the law. The compromise, arrived at freely and without any suggestion of coercion or extraneous pressure, is entitled to considerable judicial weight and ought not lightly be disregarded. On this touchstone, this Court is satisfied that the

applicant has, prima facie, made out a compelling and unimpeachable case for confirmation of bail on the strength of the settlement so effected between the parties.

5. Accordingly, the instant bail application is allowed, and the interim pre-arrest bail earlier extended to the applicant vide order dated 01.06.2026 is hereby confirmed, subject to the same terms and conditions as originally imposed.

6. The instant Criminal Bail Application stands disposed of in the terms noted above.

JUDGE

"Chander Kumar"