

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Cr. Bail Application No.S-516 of 2026

Applicant: Kandero son of Sobdar Khan
Through Mr. Ali Hassan Chandio, advocate.

Complainant: Complainant present in person.

Respondent: The state through Mr. Neel Parkash, learned
D.P.G.

Date of Hearing: 12.10.2026

Date of Order: 12.10.2026

O R D E R

Nisar Ahmed Bhanbhro, J: By means of the instant application, the applicant Kandero son of Sobdar Khan, seeks the extraordinary relief of pre-arrest bail in Crime No.82/2026, registered under Sections 489-F PPC, at Police Station Sarhari, consequent upon the dismissal of his bail plea by the learned Additional Sessions Judge, Shahdadpur vide order dated 22.09.2026.

2. Learned counsel appearing for the applicant submitted that the applicant is wholly innocent and stands falsely implicated on account of mala fide intent and ulterior motive. He submitted that prosecution case rested upon an alleged purchase of Kiryana items amounting to Rs.4284000/- but the complainant has failed to place on record any documentary material including receipts/bills whatever to establish such alleged transaction. He submitted that there is delay of more than 06 months in registration of FIR and no plausible explanation has been given in the FIR. He submitted that alleged offence does not fall within the prohibitory clause of section 497(i) Cr.P.C. On these premises, the grant of bail was prayed for.

3. Conversely, learned Deputy Prosecutor General contends that the essential ingredients of section 489-F PPC are, prima facie attracted. He submits that prosecution possess the dis-honoured cheque, the relevant bank memo and other supporting material which, according to him, connect the applicants with the commission of the alleged offence. He accordingly opposes confirmation of bail.

4. Heard learned counsel for the applicant and learned D.P.G for the State and perused the record. The bail application of the applicant was declined by the learned trial Court on the ground that the amount involved in the dishonoured cheque was about Rs.42,84,000/- but proof thereof has yet to be furnished during trial and to be determined at the time of recording evidence before the learned trial Court. The alleged offence is punishable for three years and does not fall within the prohibitory clause of Section 497 Cr.P.C and bail in such cases is a rule and refusal an exception.

5. For the foregoing, the applicant/accused has made out a case for the grant of bail. Therefore, the instant bail application is allowed and the interim pre-arrest bail granted to the applicant vide order dated 29.09.2026 is hereby confirmed, subject to the same terms and conditions.

6. It is clarified that the observations recorded hereinabove are tentative in nature and shall not be construed as an expression of opinion on the merits of the case, nor shall they prejudice either party at trial.

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

JUDGE

“Chander Kumar”