

THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-95 of 2026

Applicant: Ahsan Qadeer present on interim pre-arrest bail through Mr. Ghulam Muhiuddin, Advocate, who files Vakalatnama today, taken on record.

Respondent: The State through Mr. Shawak Rathore, Deputy Prosecutor General, Sindh.

Complainant: Mussarat Iqbal through Mr. Saad Salman Ghani, Advocate.

Date of hearing: 12.10.2026.

Date of order: 12.10.2026.

ORDER

MUHAMMAD HUMAYON KHAN, J: - Through this order, I intend to decide the instant criminal bail application whereby the applicant seeks pre-arrest bail in crime No.517/2025 registered at PS A-Section, Hyderabad District Hyderabad. Earlier, bail plea of the applicant was turned down by learned IIIrd Additional Sessions Judge, Hyderabad vide order dated 16.01.2026. The applicant was admitted to interim pre-arrest bail by this Court vide order dated 26.01.2026.

2. As per the FIR, the complainant allegedly invested Rs.2,500,000/- with the applicant for a school business against an agreed monthly return. Following partial payments and a subsequent settlement, the applicant allegedly issued two cheques dated 14.02.2023, which were dishonored upon presentation. Consequently, the present FIR was registered under Section 489-F PPC.

3. Learned counsel contends that the applicant is innocent and has been falsely implicated due to business and political enmity. He contends that the cheques were issued during previous business dealings as security and were subsequently misused by the complainant. He further contends that the discrepancy between the dates of the alleged settlement and the cheques, the delayed registration of the FIR and the commercial nature of the transaction make the case one of further inquiry. He also contends that the applicant is not a previous convict and is entitled to the concession of bail.

4. Conversely, learned D.P.G. Sindh for the State opposes the application, contending that the applicant is specifically nominated in the FIR and the allegations are supported by the dishonored cheques, bank

memos and other documentary material. He contends that the delay has been explained and that no ground for grant of bail is made out.

5. Learned counsel for the complainant also opposes the application, adding that the applicant dishonestly issued cheques towards an outstanding liability and that the complainant's version is supported by the settlement agreement and documentary evidence. He further contends that the applicant has been involved in other cases relating to dishonored cheques. He, therefore, prays for dismissal of the bail application.

6. I have considered the submissions of the learned counsel for the parties and examined the available record.

7. The allegations arise out of a monetary transaction involving a school business, partial payments and an alleged subsequent settlement. The pleas regarding the nature of the transaction, the purpose for which the cheques were issued, the discrepancy in dates and the extent of the outstanding liability require tentative assessment at this stage and shall be determined by the learned trial Court after recording evidence. The mere involvement of the applicant/accused in other cases, in which, as stated by learned counsel, he has been acquitted, cannot by itself constitute a bar to the grant of bail. Each case is to be decided on its own facts and merits. The material available on record, when tentatively assessed, calls for further inquiry within the meaning of Section 497 (2) Cr.P.C. The applicant's entitlement to bail, therefore, cannot be declined solely on the basis of his alleged involvement in other cases.

8. In view of the above facts and circumstances of the case, the instant bail application is **allowed** and the interim pre-arrest bail already granted to the applicant/accused is hereby confirmed on the same terms and conditions, subject to enhancement of the surety amount from Rs.50,000/- to Rs.500,000/- (Rupees Five Hundred Thousand only), to the satisfaction of the learned Additional Registrar of this Court. The enhanced surety amounting to Rs.450,000/- shall be furnished by the applicant/accused within three days.

9. The observations made herein are tentative in nature and shall not prejudice either party at the trial.

JUDGE