IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No. 2991 of 2025

Applicant	:	Muhammad Asif Anjum Through Mr. Ghulam Abbas Advocate
Complainant	:	Abdul Salam son of Abdul Raheem Through Mr. Zahid Abbas Advocate
Respondent	:	The State *Through* Ms. Najma Lateef Golo, Assistant Prosecutor General.
Date of hearing	:	27.10.2026
Date of Order	:	27.10.2026

O R D E R

KHALID HUSSAIN SHAHANI, J. – The applicant, Muhammad Asif Anjum, seeks confirmation of interim pre-arrest bail in Crime No.404/2025, registered at Police Station Orangi Town, Karachi, for offence under Section 489-F, PPC, after his application for the same relief was declined by the learned VIIth Additional Sessions Judge, Karachi West, vide order dated 29.10.2025.

2. Succinctly, the prosecution case is that the complainant advanced Rs.16,50,000/- to the applicant for construction of a house, against which Rs.4,50,000/- was allegedly repaid, leaving an outstanding liability of Rs.12,00,000/-. In purported discharge thereof, the applicant allegedly issued three cheques of Rs.3,00,000/- each, which, upon presentation on 29.08.2025, were dishonoured for insufficiency of funds. Consequently, the subject FIR was registered on 08.10.2025, pursuant to proceedings initiated before the Ex-officio Justice of Peace.

3. Heard learned counsel for the parties and perused the available record. During arguments, it transpired that the parties have subsequently resolved their monetary dispute through a deed of settlement, whereby the applicant undertook to pay Rs.13,50,000/-, out of which Rs.1,00,000/- was paid on 20.06.2026, while the balance of Rs.12,50,000/- was agreed to be discharged through monthly instalments of Rs.1,50,000/- each. Learned counsel for the complainant acknowledged that the applicant has been honouring the arrangement and that a further sum of Rs.3,00,000/- has been transferred to the complainant through a mobile financial service

during today's proceedings. The complainant, personally present before the Court, affirmed receipt of the amount and expressly recorded his no objection to confirmation of bail.

4. The matter, on tentative assessment, predominantly emanates from a monetary transaction which the parties have voluntarily endeavored to resolve. The settlement is not merely an executory undertaking but has been acted upon through successive payments acknowledged by the complainant. While such arrangement neither extinguishes criminal liability nor independently furnishes an indefeasible right to bail, its implementation, coupled with the complainant's unequivocal stance, constitutes a circumstance of considerable relevance in assessing the necessity of arrest. Furthermore, the alleged offence carries a maximum punishment of three years and consequently falls outside the prohibitory clause of Section 497(1), Cr.P.C. The nature of the underlying obligation and the circumstances attending issuance of the cheques remain matters for determination at trial. In this peculiar factual backdrop, no compelling justification appears for withdrawing the protection already extended to the applicant, particularly when his attendance can adequately be secured through appropriate bail conditions.

5. For the foregoing reasons, the applicant has made out a case for confirmation of interim pre-arrest bail. Accordingly, the interim bail earlier granted to him is confirmed on the same terms and conditions, subject to his regular appearance before the learned trial Court. The observations made herein are purely tentative and shall not prejudice either party at trial. In the event of misuse of the concession, the competent Court may consider cancellation of bail in accordance with law, after affording the applicant an opportunity of hearing

6. The bail application stands disposed of accordingly

J U D G E

Shahbaz