

IN THE HIGH COURT OF SINDH, AT KARACHI
Cr. Bail Application No. 555 of 2022

Applicants : Mazhar Ali Jakhar s/o Ghulamullah Jakhar,
through Mr. Shah Muhammad Maitlo,
advocate

Respondent : The State, through Mr. Zafar Ahmed Khan,
Additional Prosecutor General.

Complainant : Mukhtiar Ahmed s/o. Haji Qadir Bux
Khatri, through M/s. Abdul Wahid A. R.
Memon and M. S. Anjum, advocates.

Date of hearing : 20.04.2022
Date of order : 20.04.2022

ORDER

ZAFAR AHMED RAJPUT, J:- Through instant Cr. Bail Application applicant/ accused Mazhar Ali Jakhar s/o. Ghulamullah Jakhar seeks pre-arrest bail in Crime No. 47 of 2022 registered under section 420, 489-F, P.P.C. at P.S. Makli, district Thatta. His earlier bail application for the same relief bearing No. 417 of 2022 was dismissed by the learned Additional Sessions Judge-II, Thatta vide order, dated 21.03.2022. He was admitted to interim pre-arrest bail by this Court vide order, dated 24.03.2022, now the matter is fixed for confirmation of interim bail or otherwise.

2. It is alleged that on 18.11.2021 co-accused Sadaqat Hussain handed over cheque to the complainant, amounting to Rs. 3,000,000/- to repay his liabilities in respect of investment made by the complainant, which was dishonored by the bank on being presented, while present applicant was the partner of the said Sadaqat Hussain in his firm, namely, Goat 2 Goat Big Trade Pvt. Limited.

3. Heard and record perused.

4. As per F.I.R., the complainant invested/deposited Rs.2,975,000.00 with accused persons in a scheme with respect to goats; however, they failed

to deliver double quantity of the goats to the complainant and on insistence of the complainant, co-accused Sadaqat Hussain issued the alleged cheque, which was dishonored on account of stopping of the payment. Admittedly the alleged cheque was not issued by the applicant but by the co-accused Sadaqat Hussain. The case of the applicant at the most falls within purview of section 420, P.P.C. which is bailable under the Schedule of Offences. Accordingly, the interim bail already granted to the applicant vide order dated 24.03.2022 is confirmed on same terms and conditions.

5. 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

Cr. Bail Application stands disposed of.

JUDGE

Athar Zai