ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Bail Application No. 1312 of 2017.

Date

Order with signature of Judge

For hearing of bail Application.

13.02.2018

Ms. Rahat Ehsan, Deputy P.G. Sindh.

Instant post arrest bail application is preferred through Superintendent Central Prison, Karachi, by UTP Muhammad Ayub, who is involved in FIR No. 421/2013 under Section 302/397//34 PPC registered at P.S Aziz Bhatti, Karachi.

On 30.01.2018 a report was called from the trial Court and same is received which contends that applicant is involved in murder case and he is not interested to proceed with the case, on each and every date he has taken plea that his counsel is busy before High Court; witnesses are appearing; case is of capital punishment, thus, cannot be proceeded without presence of the counsel. Further, it appears that in identification parade one witness, Wajahat Hussain, has identified the applicant as well crime empties recovered from the place of incident were matched with crime weapon recovered from the applicant. Accordingly, tentative assessment shows that applicant is involved in the case of capital punishment and sufficient material is available against him, hence, in view of this background of the matter, the applicant is not entitled to the concession of bail. Bail Application is, therefore, dismissed. However, the trial Court shall proceed with the matter expeditiously. In case of non-appearance of the defence counsel, the trial Court would be competent to provide him a counsel on state expenses and proceed with the matter in accordance with law.

JUDGE

SAJID

The facts giving rise to this bail application, briefly stated, are that there was business dealing between the applicant and complainant, who had given amount to the applicant for investment in business and when the complainant demanded his amount back, the applicant given him a cheque of Rs.10,00,000/-, which was presented in the bank, but the same was dishonoured, hence the present case was registgered against the applicant.