

## IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

### Crl. Bail Application No. S- 753 of 2020

For hearing of bail application.

Mr. Abdul Hafeez alias Sahib Dino Advocate along with applicant.  
Mr. Ghous Bux Shah Kaheri Advocate for complainant.  
Mr. Khalil Ahmed Maitlo, Deputy P.G for the State.

**Date of Hearing: 11-01-2021**

**Date of Order: 11-01-2021**

### **ORDER**

**Aftab Ahmed Gorar J.** On dismissal of his bail application by learned III-Additional Sessions Judge, Mirpur Mathelo vide order dated 17.10.2020, applicant Illimuddin son of Jamaluddin Chijan seeks bail before arrest in Crime No.184/2020, registered at P.S, Mirpur Mathelo for the offences under Sections 489-F, 506/2 PPC.

2. The allegation against the present applicant is that in the year 2019, complainant paid Rs. 2,25,000/- to the applicant on the pretext that the applicant will get the admission of his daughter in medical, but the applicant could not fulfil his promise and returned back an amount of Rs. 50,000/- to the complainant, however, for remaining amount of Rs. 1,50,000/- applicant issued cheque of NBP in the name of complainant to be encashed on 12.08.2020, but when the said cheque was presented before concerned Bank, the same was dishonoured with memo of bank for want of insufficient funds/amount. Consequently, above FIR was lodged.

3. Today, learned counsel for the complainant places on record certified copies of the case-diaries of learned trial Court i.e. 2<sup>nd</sup> Civil

Judge & Judicial Magistrate, Mirpur Mathelo showing that after grant of interim pre-arrest bail by learned 3<sup>rd</sup> Additional Sessions Judge, Mirpur Mathelo vide order dated 09.10.2020 so also this Court vide order dated 14.12.2020, applicant has never joined/attended the trial and has remained absent on each and every date of hearing before learned trial Court despite the fact that when the applicant was admitted to interim pre-arrest bail by learned Additional Sessions Judge as well as this Court, he was specifically directed to join the trial, but since he has misused the concession of interim pre-arrest bail by not joining/attending the trial Court, therefore, he deserves no leniency of pre-arrest bail. Accordingly, interim pre-arrest bail earlier granted to the applicant by this Court on 14.12.2020 is hereby recalled and the applicant is taken into custody and remanded to Central Prison-1, Sukkur with directions to produce him before learned trial Court on each and every date of hearing.

4. The captioned Crl. Bail Application stands dismissed accordingly. Office is directed to send copy of this order to trial Court for information.

**J U D G E**

Ahmad