

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CrI. Bail Application No. 382 of 2021.

Date	Order with signature of Judge
	<ol style="list-style-type: none">1. For orders on office objection at flag "A".2. For hearing of bail application.

25th June 2021.

Mr. Munir Ahmed Malik, advocate alongwith applicant /accused
Mr. Faheem Hussain Panhwar, DPG.
Mr. Raj Ali Wahid Kunwar, advocate for complainant.

Heard and perused record.

2. Admittedly, civil suits were filed by the parties; as well as applicant lodged FIR under section 406 PPC. Applicant was arraigned in two FIRs with regard to 2 sets of cheques; he was arrested in one FIR, thereafter, he was granted post arrest bail in one FIR, whereas in second set of cheque dishonored he is on interim bail before this court. At this juncture, counsel for complainant contends that complainant withdrew his suit and only suit filed by the applicant is pending for adjudication as well as complainant has been acquitted from the case emanating from the FIR lodged by the applicant.

3. Though applicant is on interim pre-arrest bail; criterion of pre-arrest bail and post arrest bail are different but here pendency of civil litigation and business issue are not disputed as was between the parties, therefore, malafide in law cannot be ruled out. Besides, no purpose would be served if instant pre-arrest bail is dismissed and applicant is remanded to the custody and later on he moves an application for bail after-arrest. Accordingly, interim pre-arrest bail already granted to the applicant/accused is hereby confirmed on the same terms and conditions. However, trial court would be competent to cancel the bail if applicant remained absent on three consecutive dates.

The instant bail application is disposed of in the above terms.