

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Criminal Bail Application No.S-243 of 2023

<u>DATE</u>	<u>ORDER WITH SIGNATURE OF JUDGE</u>
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20.06.2023

Mr. Shakeel Ahmed Shaikh advocate for applicant.
Mr. Asif Ali Bughio advocate for complainant along with complainant.
Ms. Sana Memon, Assistant Prosecutor General along with IO/ASI Muhammad Arshad PS A-Section Hyderabad.

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MUHAMMAD IQBAL KALHORO, J.- Applicants are called absent. On the last date of hearing also they were absent. It may be mentioned that on 12.06.2023 when this case was taken up learned defense counsel for want of instructions from applicant Muhammad Afaque had not pressed his bail application which to his extent was dismissed. Whereas, remaining applicants gave Rs.250,000/- in cash to complainant and undertook to give remaining amount of the dishonored two cheques of Rs.13,00,000/- each and one cheque of Rs.558000/- respectively to the complainant on the next date of hearing viz. 14.06.2023. On 14.06.2023 Mr. Shakeel Ahmed Shaikh advocate filed power on their behalf and made a statement that applicants had gone to Punjab for arranging the remaining amount and requested for fixing the case today. Today, again he has made the same statement, which has been declined.

2. With the assistance of parties, I have read the FIR. Prima facie the case against applicants for issuing false cheques is made out. Learned counsel has offered no arguments in defense which shows that applicants have been implicated in this case falsely or out of malafide on the part of complainant. IO is also present and has confirmed story of FIR and states that he found the applicants fully involved in the case and has therefore submitted Challan in the court against them.

3. Learned Assistant PG and counsel for complainant have also opposed bail.

4. In view of prima facie merits of the case coupled with the fact that the applicants have remained absent for two consecutive dates of hearing and have breached the undertaking given by them in the court, this application is dismissed and applicants' ad-interim pre-arrest bail granted to them vide order dated 17.03.2023 is hereby recalled.

5. The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE

Ali Haider