

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**  
 CrI. Bail Application No.S-693 of 2023  
 (Shakeel Ahmed Kolachi Vs. The State)

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For hearing of Bail Application.

**11-12-2023.**

Mr. Shabbir Ali Boazdar, advocate for the applicant.

Complainant Hidayat Ali in person.

Mr. Shafi Muhammad Mahar, DPG the State.

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**Irshad Ali Shah, J;**-It is alleged that the applicant issued a cheque in favour of complainant Hidayat Ali dishonestly, it was bounced by the concerned Bank, when was presented there for encashment, for that the present case was registered.

2. The applicant on having been refused Pre-Arrest bail by learned Ist Additional Sessions Judge, Mirpur Mathelo, has sought for the same from this Court by way of instant CrI. Bail Application u/s 498-A Cr.P.C.

3. Heard arguments and perused the record.

4. The FIR of the incident has been lodged with delay of about 23 days; such delay having not been explained plausibly could not be over looked. The parties are disputed over sale and purchase of motorcycles; such dispute could not be lost sight of. The offence alleged against the applicant entails imprisonment for three years or fine; if after due trial, the applicant is awarded punishment of fine only then the sentence which he is likely to undergo on account of refusal of pre arrest bail to him would be somewhat extra. Moreso, the complainant now by filing his affidavit has recorded no objection to grant of pre arrest bail to the applicant. The case has finally been challaned. The applicant has joined the trial and there is no allegation of misusing the concession of interim pre arrest bail on his part. In these circumstances, a case for grant of pre-arrest bail in favour of the applicant on point of further inquiry malafide obviously is made out.

In view of above, the interim pre-arrest bail already granted to the applicants is confirmed on same terms and conditions.

Instant Bail Application is disposed of accordingly together with list applications.

Judge

Nasim/P.A