

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

Crl. Bail Application No.S- 845 of 2023  
(*Nazeer Ahmed & another v. The State*)

Mr. Z.A. Channa, Advocate along with applicants.  
Mr. Dareshani Ali Haider 'Ada', D.A.G along with S.I/I.O Nadir Ali Simair,  
FIA, Sukkur and complainant Syed Faiz Ahmed Shah.

Date of Hearing & Order: **06-05-2024**

### **ORDER**

**MUHAMMAD IQBAL KALHORO, J.** – Complainant moved an application to the FIA Crime Circle, Sukkur alleging that applicants had duped him into giving them Rs.26,76,000/- for providing two government jobs in Motorway Police and OGRA Department. After obtaining money, they in fact gave two appointment orders to the complainant, but on enquiry were found fake. When he demanded his money back, they issued him a dishonest cheque instead. The FIA in the investigation found allegations against the applicants correct and submitted Challan against them in the Court.

**2.** Learned counsel in defense has argued that applicants are innocent and have falsely been implicated in this case; this is a case of civil nature between the parties and the FIA has no jurisdiction to interfere into it.

**3.** Contrary to it, learned DAG and I.O have opposed bail on the ground that applicants are habitual criminals and in fact one of them namely Nazeer Ahmed is a convict in an offence of similar nature.

**4.** I have considered submissions of parties and perused material available on record. Applicants in investigation by the FIA, an independent Institution, were *prima facie* found involved in the offence of cheating and committing fraud with the complainant and others on the excuse of providing them government jobs. In the case of the complainant, they

provided him in fact two appointment orders, which were found fake. Then instead of returning his money gave him a dishonest cheque. No case of extraordinary concession of pre-arrest bail is made out, not the least when one of applicants namely Nazeer Ahmed is already a convict in a more or less similar offence. The witnesses have also *prima facie* supported allegations against the applicants who have been found by the I.O involved in committing cheating with the people in the manner, as alleged above.

5. Therefore, I do not find the applicants entitled to concession of pre-arrest bail. Accordingly, this bail application is **dismissed**. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

**JUDGE**

Ahmad