

IN THE HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

CrI. Bail Application No.S-140 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing of main case.

21.08.2024

Mr. Haji Qalandar Bux Laghari, advocate a/w applicant.
Mr. Nabi Bux Narejo, advocate a/w complainant.
Mr. Dhani Bakhsh Mari, Assistant P.G Sindh.
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ORDER

Adnan-ul-Karim Memon, J: Through the instant bail application, the applicant Muhammad Akram has approached this court for a grant of pre-arrest bail in terms of Section 498-Cr.P.C in F.I.R No.69/2024 registered for offenses under Sections 489-F and 34 P.P.C registered with PS Kot Ghulam Muhammad. His earlier bail plea has been declined by the trial court vide order dated 14.05.2024 on the premise that there is no denial of issuance of the cheque on the part of the applicant and no extraordinary circumstances existed in favor of the applicant. Besides, the dishonoring of the cheque is the financial murder of the affected person. The applicant approached this Court and was admitted on ad-interim pre-arrest bail vide order dated 04.07.2024.

2. Learned counsel for the applicant states that the applicant is innocent and has falsely been implicated in the F.I.R. which has been delayed for about 06 months regarding which no plausible explanation has been furnished.

3. Learned Assistant Prosecutor General duly assisted by the learned counsel for the complainant opposed the grant of bail on the ground that the cheque was issued on 17.01.2023 and the same was presented in the bank on 15.03.2023; however, the same was dishonored on 03.04.2023 and thereafter application U/S 22-A Cr. P.C was moved before the learned District and Sessions Judge, Mirpurkhas which was allowed and

subsequently, the F.I.R. was registered U/S 489-F and 34 P.P.C. on 20.04.2024.

4. I have heard the learned counsel for the parties and perused the material available on record. Since the offense is punishable up to three years, no fruitful result would come out by sending the applicant/accused behind bars for an indefinite period.

5. In view of the above, the interim pre-arrest bail granted to the applicant/accused vide order dated 04.07.2024 is hereby confirmed on the same terms and conditions, subject to his furnishing further surety in the sum of Rs.300,000/- (Rupees Three Lacs Only) and a P.R bond in the like amount to the satisfaction of learned Additional Registrar of this Court within one week. Learned trial court is directed to conclude the trial within one month positively and if the charge has not been framed, the same shall be framed on the date so fixed by the trial Court. In case of failure on the part of the trial Court, the report shall be made to the MIT for refereeing the matter to the competent authority for appropriate order on the administrative side. The observation is tentative, and shall not prejudice the case of parties at trial.

JUDGE

Faisal