

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Miscellaneous Application No.S-539 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For orders on M.A.No.9193/2024.
	2. For orders on office objections.
	3. For orders on M.A.No.9194/2024.
	4. For hearing of main case.

**28.08.2024**

None present no any intimation received. In the interest of justice by granting urgency application the matter is taken-up for hearing.

It reflects from the impugned order dated 30.07.2024 that learned Trial Court has granted bail to the respondent No.1 / accused by assigning cogent reasons in its para-4 which is reproduced as under:

*“The cursory reading of FIR shows that alleged occurrence did take place on 24.04.2024 while it was reported to police on 18.05.2024 after long standing delay of two months and 14 days which is not explained there-under and this alone fact coupled with story coached in the FIR brings the entire episode of the prosecution under the cave of further inquiry. It is settled principle of law that mere issuance of cheque, which was subsequently got dishonored does not constitute an offence, unless it is established that the same was issued with dishonest intention for re-payment of loan or for discharging an obligation. The applicant/accused is charged U/S 489/F PPC, and this offence provides such quantum of punishment which does not attract the prohibition put by law. Moreover, the applicant/accused has already been sent up to Jail and thus, is no more required to police for further investigation. Having so, to me, the applicant/accused has a case of bail which is accordingly allowed. He shall be released subject to his furnishing a solvent surety in the sum of Rs.200,000/- with P.R. bond in the like amount to the satisfaction of this Court.”*

No infirmity or illegality is found in the impugned order and the same does not require interference of this Court therefore instant Criminal Miscellaneous Application being devoid of merits is dismissed in *limine*.

JUDGE

Muhammad Danish \*