

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
**Criminal Bail Application No. 793 of 2024**  
**( Muhammad Ikram Tabbasum versus The State)**

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Date \_\_\_\_\_ Order with signature of Judges \_\_\_\_\_

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For hearing of bail application

**30.04.2024**

Mr. Masaud Ahmed Junejo, advocate for the applicant  
Mr. Mumtaz Ali Shah, Assistant Prosecutor General for the State  
Complainant, Naseem Younus, in person

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It is alleged that the applicant issued two cheques worth twenty-six lacs rupees in favour of complainant Naseem Younus, those were bounced by the concerned bank when were presented there for encashment, for which the present case was registered.

The applicant, on having been refused post-arrest bail by learned Courts below, has sought the same from this Court by making the instant bail application under section 497 Cr.P.C.

It is contended by learned counsel for the applicant that the applicant is innocent and has been involved in this case falsely by the complainant party by misusing the chequebook which was stolen, therefore, he is entitled to be released on bail on point of further inquiry. In support of his contentions, he relied upon the case of *Noman Khaliq v. the State* (2023 SCMR 2122).

Learned APG for the State who is assisted by the complainant has opposed to release of the applicant on bail by contending that he has committed the financial death of the complainant by issuing fake cheques in his favour dishonestly.

Heard arguments and perused the record.

The FIR of the incident has been lodged with a delay of more than two months; such delay could not be overlooked. The offence alleged against the applicant does not fall within the prohibitory clause. The punishment which the alleged offence entails is imprisonment up to three years or a fine; if the applicant after due trial is awarded the punishment of fine only then the imprisonment which he is undergoing would be somewhat extra. The subject cheque is alleged to have been misused by committing the theft of chequebook. The case has finally been challaned. There is no likelihood of absconsion or tampering with the evidence on the part of the applicant. In these circumstances, a case for the release of the applicant on bail on point of further inquiry is made out.

Under the given circumstances, the applicant is admitted to bail subject to his furnishing surety in sum of Rs.100,000/- (Rupees One Lac only) and P.R bond in the like amount to the satisfaction of the learned trial Court.

Instant bail application is disposed of accordingly.

J U D G E