

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.**

Cr. Bail Appl. No.1910 of 2024

13.11.2024

Mr. Ghulam Hasnain, advocate for applicant
Makhdoom Tahir Abbas, advocate for complainant.
Mr. Saleem Akhtar Buriro, Addl. P.G. a/w ASI Haseebullah P.S.
Aziz Bhatti.

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ORDER

MUHAMMAD IQBAL KALHORO J: Applicant Osama is seeking pre arrest bail in Crime No.195/2024 U/s 420, 406, 34 PPC of P.S. Aziz Bhatti, Karachi.

2. As per brief facts, it is alleged in FIR that applicant and others used to run a traveling agency, hence complainant contacted them for employment Visa of Saudi Arabia. The company demanded Rs.400,000/- for each visa. Complainant gave them Rs.3,50,000/- each as an advance of 24 persons total Rs.1,80,00,000/- for getting them employment visa of Saudi Arabia. On the appointed date viz. 19.02.2024 when complainant went to the office of the company to collect the visas, he found it empty and came to know that applicant and others had escaped and gobbled up entire amounts paid by the complainant and others.

3. Learned counsel for applicant has argued that applicant was only employee of co-accused; he has nothing to do with the alleged offence; that in FIR and Challan, no allegation has been leveled against applicant and only general role has been assigned to him.

4. On the other hand, learned counsel for complainant and APG have opposed bail to him on the ground that applicant is the main accused in that he used to receive the amount from the people and issue receipts to them. I.O. is present and submits that there are various victims in this case, who paid amount to the company of which the applicant is main member as he used to receive cash from the people and promised them to send them to Saudi Arabia for employment. Subsequently, the entire amount was misappropriated by each one of the accused mentioned in the FIR; the other accused are still absconders

and have not been arrested and this practice has been going on in this city for some time.

5. I have considered such submissions of the parties and perused material available on record. Applicant is named in the FIR and as per investigation report, he played an important role of receiving amount from the people knowing well that the company was fraud and no one was going to get visa through the company. All the relevant receipts of various amounts available in police papers are signed by the applicant. I.O. has further informed that applicant and others have jointly misappropriated the amount gathered from the people under the pretext of sending them to Saudi Arabia for employment.

6. In view of above circumstances, this application is dismissed and the order granting ad-interim pre arrest bail to the applicant is hereby recalled.

The observations made herein above are tentative in nature and would not prejudice case of either party at trial.

The Cr. Bail Application is disposed of.

J U D G E