

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

Criminal Bail Application No.S-1127 of 2022

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

05-12-2022

Mr. Anwar Ali Rajput advocate for applicant along with applicant, who is present on ad interim pre-arrest bail.

Mr. Izhar Ali Chandio advocate for complainant along with complainant.

Ms. Rameshan Oad, Assistant Prosecutor General Sindh.

MUHAMMAD IQBAL KALHORO, J: - Allegedly applicant working in Rfhan Mill Kotri obtained on loan milk, yogurt and firewood etc. from complainant doing business in the same commodities and in the course became indebted of an amount Rs.26,41000/-. Complainant, when demanded the same, he issued him four cheques amounting to Rs.18,00,000/- which on presentation were dishonored. Thereafter complainant pursued the applicant for the amount, he kept him on hopes and finally refused to pay, hence FIR.

2. I have heard learned counsel for applicant, learned counsel for complainant as well as learned A.P.G. Sindh, the latter have opposed bail, whereas the former has pleaded for bail citing delay in registration of FIR which however seems to be duly explained. Further, there is *prima facie* evidence against applicant in the shape of dishonored cheques. During pendency of this application, a number of times applicant undertook to give money to the complainant and sought time, such undertakings have been recorded in the orders. He in this regard at some point in time was given a last and final chance to make good of the amount or argue the bail application but in vain. Finally it has been informed that no money has been given to the complainant uptill now against the amount mentioned in cheques and he is still keeping him on hopes. From all such facts and circumstances, it is clear that *prima facie* applicant is involved in the alleged offence and he is not entitled to concession of pre-arrest bail.

3. It may be mentioned that concession of pre-arrest bail is to save an innocent person from arrest in a non-bailable offence, and does not mean protection to an accused who is *prima facie* involved in

the case. In view thereof application merits no consideration and is accordingly **dismissed**.

4. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

JUDGE

Abdullah Channa/PS