

*Order Sheet*  
**IN THE HIGH COURT OF SINDH, KARACHI**

Present:-

Mr. Justice Muhammad Iqbal Kalhoro.  
 Mr. Justice Agha Faisal.

**Cr. B.A. No.526 of 2022**

Beenish Nasir

**Versus**

The State

**For date of hearing**

**& order**

:

**01.06.2022**

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Mr. Hamid Ali Memon, advocate for applicant

Mr. Irfan Ahmed Memon, DAG a/w IO Sheikh Sheroz, FIA

**ORDER**

**Muhammad Iqbal Kalhoro, J:-** Applicant was Solitaire Relationship Manager in Faysal Bank Ltd. Khayaban-e-Shahbaz Branch, Karachi is alleged to have opened a fake bank account in the name of one Farah Khan on 06.04.2015 in her absence, when she was not present in Pakistan. Then She transferred funds from different customers' accounts illegally through fake signatures in said account, and in the account of one Jahangir Khan, who had deposited cheque book with her for closing his account, and withdrew those funds amounting to Rs.5.2 million.

2. Farah Khan through a compliant in writing informed the bank about withdrawal of funds from her account asserting however that account was opened at her instance by her brother. She is in Canada since 2018 and her 161 Cr.PC statement has not been recorded up till now. Jahangir Khan whose account has also been allegedly used is in USA since 2016 and therefore recording of his statement has remained elusive. And for want thereof final challan has not been submitted. IO present has no clue about return of these individuals for joining investigation and submission of the challan in the court. Applicant was arrested on 21.02.2022 and is in jail since without any progress in the case. With these submissions, which we find attracted in the facts and circumstances of the case, learned counsel for the applicant has pleaded for bail, which learned DAG has opposed along with IO.

3. Arrival of above said two individuals in Pakistan to complete investigation for filing final challan is not in sight. Unless their statement is recorded, and it is

compared with the material, so far collected in the investigation, no opinion viz-e-viz her involvement in the offence and its extent can be formed, in absence of which, the case against her would require further enquiry. Accordingly, this application is allowed and applicant is granted bail subject to her furnishing a solvent surety in the sum of Rs.2 million with P.R. bond in the like amount to be executed to the satisfaction of the trial Court.

4. The bail application is disposed of in the above terms; the findings made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

Rafiq/P.A.