

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.06 of 2024.

Date	Order with Signature of Judge
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For hearing of Bail Application.

13.02.2024.

Mr. Muhammad Ibrar Arain, Advocate along with Applicant.
Mr. Abrar Ali Khichi, Addl. Prosecutor General Sindh.

Muhammad Karim Khan Agha, J. Applicant Naveed Ahmed is facing trial before the XXVIth Judicial Magistrate (East) Karachi in respect of Crime No.271 of 2023 u/s.420/468 PPC registered at PS Korangi, Karachi. He applied for post arrest bail which was declined by the IVth Additional Sessions Judge (East) Karachi vide order dated 07.12.2024. Hence he has approached this Court for post-arrest bail.

2. Brief facts of the case are that the complainant purchased a plot No.1139, Sector 31-B, KDA Employees, Korangi from the applicant and paid an amount of Rs.19,00,000/- (Rupees Nineteen Lac). Later it transpired that the applicant had given fake file of the plot to the complainant but on demand applicant refused to return her amount i.e. Rs.19,00,000/- which he had paid for the plot hence the aforesaid FIR was lodged.

3. I have heard the learned counsel for the parties and perused the record.

4. The offence for which the applicant has been charged carries maximum sentence of 07 years in jail and in such like cases the general rule is that bail should be granted unless exceptional circumstance exists which justify the refusal of bail. In this case no exceptional circumstance exists. The amount involved is relative minor being Rs.19,00,000/-. The case also revolves around documentary evidence as such there is no chance for the applicant to tamper with the evidence. The applicant is also no longer required for investigation.

5. Based on the above discussion, applicant **Naveed Ahmed s/o of Tanveer Ahmed** is hereby granted post arrest bail subject to furnishing solvent surety in the sum of Rs.2,00,000/- (Rupees Two

Lacs Only) and P.R. bond in the like amount to the satisfaction of the trial Court.

6. This order is based only on a tentative assessment of the evidence and the learned trial Court shall proceed and decide the case on merits within three (03) months of the date of this order. Copy of this order shall be sent to concerned trial Court for compliance.

7. The instant criminal bail application stands disposed of in the above terms.

JUDGE