

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI
Crl. Bail Appl. No.2189 of 2024.

Date	Order with signature of Judges
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For hearing of Bail Application.

31.10.2024.

Mr. Zain-ul-Abdin, Advocate along with Applicant
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General
Complainant in person

Mohammad Karim Khan Agha, J:- Applicant Muhammad Naeem was booked in FIR No.322/2024 under Section 489-F PPC registered at PS Alfalah, Karachi. He applied for pre arrest bail before the Court of Additional Sessions Judge-XII (East) Karachi which was declined vide order dated 21.09.2024. Hence the applicant approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that complainant Muhammad Shahbaz alleged that the applicant paid him amounting to Rs.9,00,000/- in shape of cheque, when presented before the concerned bank, the same was bounced. Hence the aforesaid FIR was lodged against the present applicant.

3. I have heard learned counsel for the applicant. Learned Addl. Prosecutor General Sindh and the complainant in person have opposed to grant of the instant bail.

4. The maximum sentence available for the offence under which the applicant has been charged is 03 years imprisonment and the general rule is that bail should be granted in such like cases unless exceptional circumstances exist. There is no exceptional circumstance existing in this case in order to decline the bail. The case is based on the documentary evidence and the applicant cannot tamper with. Per learned counsel, the final challan has been submitted as such the applicant is no longer required for further investigation. The amount involved is relatively minor being Rs.15-lacs.

5. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier on 26.09.2024 to the applicant Muhammad Naeem on the same terms and conditions.

6. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing on the trial of the applicant which shall be decided by the concerned trial Court expeditiously. No adjournment on any flimsy ground shall be allowed. In the event if the applicant misuses the concession of bail, the complainant shall be free to approach relevant forum for cancellation of his bail. Copy of this order shall be sent to the IIIrd- Judicial Magistrate Karachi, East, for compliance.

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

JUDGE

Nadir/PA