

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Appl. No.1373 of 2024

Date	Order with signature(s) of Judge(s)
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For hearing of Bail Application.

03.09.2024.

Applicant present in person.
Mr. Ali Haider Saleem, Addl. Prosecutor General Sindh
Mr. Tahir Nawaz, advocate for the Complainant.

Applicant Muhammad Rizwan Nazir has been booked under FIR No.170/2024 under Section 489-F PPC registered at P.S Gaddap City, Karachi. He applied for pre-arrest bail which was declined by the Court of Additional District & Sessions Judge Malir, Karachi vide order dated 17.03.2024 on the ground that he has failed to attend the Court’s hearing on three dates. However he had entered into compromise with complainant by way of giving two cheques Rs.25,00,000/- and Rs.50,00,000/-. Now the applicant has approached this Court for pre arrest bail.

2. The brief facts of the case as per FIR are that the applicant had given two cheques one of Rs.25-lacs and other was Rs.50-lacs pursuant to an agreement which was made with the complainant’ party by way of compromise. However, when these were deposited with the bank same were bounced. Hence the aforesaid FIR was registered against the applicant.
3. I have heard learned counsel for the parties as well as learned Assistant Attorney General.
4. The offence under which the applicant has been charged is 489-F PPC which carries maximum sentence of 03 years imprisonment and the general rules is that bail should be granted in such like cases unless exceptional circumstances exist in order to decline the bail. There is no exceptional circumstance existing in this case. The amount involved is not huge being Rs.75,00,000/- and the case is based on documentary evidence which cannot be tampered with by the applicant. Charge has been framed hence applicant is no longer required for investigation.

5. Under these circumstances I hereby confirmed the pre-arrest bail granted earlier by this Court to the applicant Muhammad Rizwan Nazir on the same terms and conditions.

6. The 10th Judicial Magistrate Malir Karachi is directed to decide the case on merits expeditiously. Copy of this order shall be sent to 10th Judicial Magistrate Malir Karachi for compliance.

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

JUDGE