

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**  
**Cr. Bail Appl. No.1990 of 2024**

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

**09.10.2024.**

Mr. Mehmood-ul-Hasan, Advocate for the applicant.  
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General Sindh  
SIP Zulfiqar Ahmed PS Kharadar and PI/SIO Abid Saeed,PS Risala.

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**Mohammad Karim Khan Agha, J:-** Applicant Sarfaraz has been booked in the FIR No.244/2024 under Section 489-F/506 PPC registered at PS Kharadar, Karachi. He applied for pre arrest bail before Court of IInd Additional Sessions Judge (South) Karachi which was declined vide order dated 29.08.2024. Hence the applicant has approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that the complainant is a Gold Merchant and doing business with the applicant Sarfaraz. At the request of applicant Complainant gave him a loan of Rs.1,57,00,000/- (One Crore Fifty Seven Lacs) in two installments which he promised to return the same within 2/3 months. However, when the complainant demanded his money back the applicant issued four cheques amounting to Rs.1,27,00,000/- When the applicant presented these cheques at the concerned bank same were 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 learned counsel for the complainant.

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 the same. The charge has already

been framed as such the applicant is no longer required for further investigation.

5. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier on 03.09.2024 to the applicant 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 and 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 concerned trial Court for compliance.

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

JUDGE