

**ORDER SHEET**  
**HIGH COURT OF SINDH AT KARACHI**  
**Crl. Bail Appl. No.2570 of 2024.**

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

**21.11.2024.**

Applicant in person.  
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General

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**Mohammad Karim Khan Agha, J:-** Applicant Asif Hussain was booked in FIR No.273 /2024 under Section 489-F PPC registered at PS Bahadurabad, Karachi. He applied for pre arrest bail before the Court of Additional Sessions Judge-IX (East) Karachi which was declined vide order dated 30.10.2024. Hence the applicant approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that the complainant doing commission business on thread and supplying thread to the applicant for the last two years. The complainant is a commission agent his amount i.e. Rs.13,82,98,156/- is due against the applicant out of which some amount was paid by the applicant to the complainant. When the complainant asked the applicant to return the remaining amount the applicant issued number of cheques against the remaining amount which when presented by the complainant at the concerned bank were bounced. Hence the aforesaid FIR was lodged against the present applicant.

3. I have heard learned counsel for the applicant. I have also heard learned Addl. Prosecutor General Sindh and the complainant in person, both have opposed the grant of bail as amount involved is huge being more than one crore rupees.

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 which

cannot be tampered with by the applicant. The charge has 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 07.11.2024 to the applicant **Asif Hussain** 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 Judicial Magistrate-XXVII (East) Karachi for compliance.

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

**JUDGE**

**MAK/PS**