

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**Cr. Bail Appl. No.2186 of 2023**

Date	Order with signature of Judges
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For hearing of Bail Application

**22.02.2024.**

Mr. Muhammad Nishat Warsi, Advocate for the applicant.  
M/s. Sathi M. Ishaque and S.K. Lodhi, advocates for the complainant.

Mr. Abrar Ali Khichi, Additional Prosecutor General Sindh.

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***Mohammad Karim Khan Agha, J.*** Applicant Nasir Hussain Jaffri S/o. Zakir Hussain Jaffri is facing trial before the Vth Judicial Magistrate Karachi Central in respect of FIR No.456 of 2023 U/s. 380, 420, 406, 506-B PPC registered at PS New Karachi. He applied for pre-arrest bail which was declined by the IIIrd Additional District & Sessions Judge Karachi Central vide order dated 16.09.2023, hence, the applicant has approached this Court for pre-arrest bail.

2. Brief facts of the case are that the applicant was working in the factory of the complainant and was doing amongst other things some renovation work. According to the FIR he has embezzled at least Rs.30,00,000/- in the purchase of goods/material, hence the aforesaid FIR has been lodged against him.

3. I have heard the parties and perused the record.

4. It is noted that the offences for which the applicant has been charged carries the maximum sentence of 07 years imprisonment and in such like cases the general rule is that bail should be granted unless some exceptional circumstance exist which justify the refusal of bail. In this case there are no such exceptional circumstances to justify withholding of bail. The case is based on documentary evidence which cannot be tampered with by the applicant. The charge has already been framed as such the

applicant is no longer required for investigation. The amount involved is also not huge.

5. Based on the above discussion, the pre-arrest bail granted earlier by this Court on 28.09.2023 to the applicant Nasir Hussain Jaffri S/o. Zakir Hussain Jaffri is confirmed 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 outcome of the trial of the applicant which shall be decided by the concerned trial Court based on the evidence placed before it. The trial court is directed to complete the trial within 03 months of the date of this order. Copy of this order shall be sent to the Vth Judicial Magistrate Karachi Central for compliance.

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

JUDGE

*M. Arif*