

ORDER SHEET
IN THE HIGH COURT OF SINDH, AT KARACHI.

Criminal Bail Application No.24 of 2024

Date	Order with signature of Judge
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For hearing of bail application.

18.01.2024.

Applicant is present in person.
Mr. Abrar Ali Khichi, Additional Prosecutor General.
SIP Muhammad Nazeer Tanoli, PS Preedy.

MOHAMMAD KARIM KHAN AGHA, J:- The Applicant Muhammad Mudassar Choudhry S/o. Irshad Ahmed is facing trial before the XXVth Judicial Magistrate Karachi (South) in respect of FIR No.78/2023 U/s. 489-F PPC registered at P.S. Preedy, Karachi. The applicant approached the Additional Sessions Judge-III Karachi (South) for pre-arrest bail which was declined vide order dated 29.12.2023 and as such he has now approached this Court for pre-arrest bail.

2. The brief facts of the case are that applicant owed an amount of Rs.50,00,000/- from the complainant and in order to make the payment he issued a cheque of Rs.20,00,000/-. This cheque however, when presented before the concerned bank was bounced, hence the aforesaid FIR was lodged against the applicant.

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

4. The offence under section 489-F PPC carries the maximum sentence of 03 years imprisonment. The general rule in such like cases is that bail should be granted unless there are exceptional circumstances for declining the bail. There are no exceptional circumstances exist in this case. The case revolves around documentary evidence which cannot be tempered with by the applicant. The applicant is also no longer required for investigation. As such based upon the above discussion the pre-arrest bail already granted to the applicant Muhammad Mudassar Choudhry S/o. Irshad

Ahmed is confirmed on the same terms and conditions. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing of the outcome of the trial of the applicant which shall be decided by the concerned trial Court based on the evidence placed before it.

5. This pre-arrest bail application is disposed of in the above terms.

JUDGE

M. Arif