

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

**Criminal Bail Application No.2385 of 2023.**

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

**29.01.2024.**

Mr. Muhammad Iqbal Awan, Additional Prosecutor General.  
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**MOHAMMAD KARIM KHAN AGHA, J:-** The Applicant Mudasar @ Sonu S/o. Muhammad Mubeen was booked in respect of FIR No.656/2023 U/s. 489-F/420 PPC registered at P.S. Preedy, Karachi. The applicant applied for pre-arrest bail before the Xth Additional Sessions Judge Karachi South which was declined vide order dated 16.10.2023, hence he has applied to this Court for pre-arrest bail.

2. The brief facts of the case are that the applicant owed an amount of Rs.1,10,00,000/- from the complainant in respect of business purpose for which he issued cheques to the complainant which when presented before the concerned Bank a cheque was dishonored, hence the aforesaid FIR has been lodged.

3. I have heard learned Additional Prosecutor General Sindh 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 which exist in this case. The case is based on documentary evidence and as such there is no chance of the applicant tampering with the same. The applicant is no longer required for further inquiry. The amount involved is not huge being only Rs.50,000/- and I have been informed that the parties are compromising the matter.

5. Under these circumstances, the ad-interim pre-arrest bail earlier granted to the applicant Mudasar @ Sonu S/o. Muhammad Mubeen 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 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. A copy of this order shall be sent to the concerned trial court for compliance.

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

JUDGE

*M. Arif*