

IN THE HIGH COURT OF SINDH AT KARACHI

Crl. Bail Application No. 1186 of 2025

Applicant : Umair
through Mr. Amir Zaheer
Mirza, Advocate

Respondent : The State
through Ms. Alizeh Bashir,
Deputy Attorney General a/w
P.I. Baber Ali, FIA, AHTC.

Date of hearing : 02.06.2025

Date of Order : 02.06.2025

ORDER

Omar Sial, J: Umair has sought post-arrest bail in FIR No. 87 of 2025, registered under sections 420, 468, 471, and 109 P.P.C. at the FIA, AHT Circle Police Station. Earlier, the 8th Additional Sessions Judge at Karachi South dismissed his application for bail vide Order dated 26.03.2025.

2. A background to the case is that the F.I.R. above was registered on the Consulate General of the United States of America complaint on 08.01.2024. In this complaint, an inquiry was initiated by the OICU, and it was found that the applicant was involved in the crime. Hence, the F.I.R. was registered against him. The F.I.R. reflects that the applicant is nominated as a Visa Vendor. He and Hamza Nadeem of Al Imran Aviation Travel & Tours took the Visa fee of Rs. 35,000 each from Kina Haroon, and Rukhsana but did not deposit the same in Allied Bank Limited.

3. I have heard the learned counsel for the applicant, the learned Deputy Attorney General, and the investigating officer of the case.

4. Offences under section 420 and 471 P.P.C. are both bailable offences. In contrast, an offence under section 468 P.P.C., though non-bailable, falls within the non-prohibitory clause of section 497 Cr.P.C. as it carries a potential sentence of up to seven years. The allegation against the applicant is that he took the fee but did not deposit it in the Allied Bank. Surprisingly, the investigating officer apprised the Court that he had not confirmed with the Bank whether the money had been deposited. He has also not recorded the statement of any Bank official in this regard. The investigating officer could also not highlight any other cogent evidence he had collected to show the applicant's involvement in the case. Considering the principles enunciated in *Tariq Bashir and 5 others vs The State* (PLD 1995 SC 34), I do not see any exceptional or extraordinary grounds to deny the applicant bail, as his case is one of a further inquiry.

5. For the above reasons, the applicant is admitted to post-arrest bail subject to furnishing a solvent surety in the sum of Rs. 100,000 and a P.R. bond in the like amount to the satisfaction of the learned trial court.

JUDGE