

IN THE HIGH COURT OF SINDH AT KARACHI

Present:

Mr. Justice Muhammad Hasan (Akbar)

Criminal Bail Application No.434 of 2025

Applicant : Muhammad Imran Khan son of Late
Muhammad Aslam Khan
Through Farooq Tanoli, Advocate

Respondent : The State
Through Mr. Qamaruddin,
Deputy Prosecutor General, Sindh

:
Date of hearing : 02.06.2025

Date of order : 02.06.2025

ORDER

Muhammad Hasan (Akbar), J -- Through this Bail Application, the applicant/accused seeks pre-arrest bail in Crime No.59/2025 registered under Sections 406, 420, 506, 34 PPC at P.S Saeedabad, Karachi, after his bail plea has been recalled by learned VIIth Additional and Sessions Judge-West vide order dated 15.02.2025.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Per learned counsel, the applicant has been wrongly implicated without any connection with the alleged offence. On the contrary, it was the property of the applicant which was fraudulently being sold by the broker to the complainant whereas the applicant has no knowledge with respect thereto. He further states that although broker/Umar Farooq had given cash amount of Rs. 50,000/- to the applicant however no transaction whatsoever was ever conducted between the applicant and the complainant and since the commitment made by Umar Farooq was not fulfilled, therefore, Rs.50,000/- were also returned to Umar Farooq. Lastly, he pleads for grant of pre-arrest bail.

4. On the other hand, learned D.P.G, Sindh opposed for grant of bail on the ground that the agreement was signed and the present applicant have cheated and defrauded the complainant.

5. Heard and perused the record.

6. From perusal of the record, it reflects from the documents furnished by counsel for the applicant during course of the hearing, it appears that agreement dated 23.09.2023 was executed, however, the same was between Umar Farooq, the broker and Ghulam Mustafa, the complainant. No signature of the present applicant who is owner of the property are available on the document. In addition to the above, there appears to be an inordinate delay of 1 ½ years in lodging the FIR, which has not been explained by either the complainant or the learned DPG during course of the hearing. That fact that the applicant Muhammad Imran Khan is the son-in-law of Umar Farooq is also vehemently denied by the present applicant present in person in court. A clear case of further inquiry is made out in the facts and circumstances of the present case.

7. In view of the above, the instant bail application is **allowed** and the interim pre-arrest bail granted by this Court to the applicant/accused vide order dated 17.02.2025 is hereby **confirmed** on same terms and conditions.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicants on merits.

JUDGE

Hyder/PS