

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Cr. Bail Appl. No.2839 of 2023

Date	Order with signature of Judges
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1. For orders on office objection.
2. For hearing of bail application.

17.01.2024.

Applicant present in person.
Mr. Saleem Akhtar Buriro, Addl. Prosecutor General Sindh.

Mohammad Karim Khan Agha, J. Applicant Muhammad Ali is facing trial before the III-Judicial Magistrate (East) Karachi in respect of FIR No.1709 of 2023 under Section 506-B PPC registered at PS K.I.A. Karachi. He applied for pre-arrest bail before the IVth Additional Sessions Judge Karachi-East which was declined vide order dated 13.12.2023. Hence, he has approached this Court for pre-arrest bail.

2. Brief facts of the case as per FIR are that the applicant is accused of threatening the complainant with dire-consequences as there appears to be a dispute between them over a flat.

3. I have heard the learned counsel for the parties and learned Addl. Prosecutor General Sindh. Learned Addl. PG has no objection to the grant of pre-arrest bail to the applicant. Complainant has been served. However, the complainant has chosen to remain absent as such service on him is held good.

4. However, the offence for which the applicant has been charged carries maximum sentence of 02 years and in such like case general rule is that the bail should be granted unless exceptional circumstances exist. In this case I find that no exceptional circumstances exist. It appears that the matter has arisen over a dispute between the applicant and complainant over a property. Applicant present in Court states that parties are attempting to patch up the dispute between them. This position also is confirmed by the Process Service SIP Muhammad Tariq, PS KIA present in Court.

5. Under these circumstances, pre-arrest bail granted to the applicant by this Court on 15.12.2023 is confirmed on the same terms and conditions. This order is based only on a tentative assessment of the evidence and the learned trial Court shall proceed and decide the same on merits within three (03) months of the date of this order. Copy of this order shall be sent to Additional Sessions Judge-IVth (East) Karachi for compliance.

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

JUDGE