

# IN THE HIGH COURT OF SINDH KARACHI

## **CR. BAIL APPLICATION NO.2122 OF 2025**

Applicants : Muhammad Noman Elahi  
Through Mr. Shaheerul Islam  
Shahid, Advocate

Complainant : MA Dong @ Muhammad Haroon  
Through Mr. Suneel Ali Memon,  
Advocate

Respondent : The State  
through Mr. Rahat Ahsan,  
Additional Prosecutor General

Date of hearing : 17<sup>th</sup> September 2025

Date of order : 26<sup>th</sup> September 2025

### **ORDER**

**Omar Sial, J.:** Muhammad Noman Elahi seeks pre-arrest bail in crime number 438 of 2025 registered under section 489-F P.P.C. at the Darakhshan police station. The F.I.R. was registered on 16.06.2025 on information provided by Muhammad Haroon who reported an offence which occurred on 16.05.2025. Haroon reported that his company and the complainants company entered into a contract for the supply of magnesium ore. An amount of Rs. 7.1 million were paid by Haroon to Noman but the goods provided to him were below the requisite standard. Haroon wanted his money back and allegedly Noman issued him a cheque which bounced on presentation.

2. I have heard the counsels and the learned Additional Prosecutor General.

3. Upon a tentative assessment it appears that at the core is a commercial dispute between the parties. Both parties claim that the other defaulted on his obligations under the table and earlier an F.I.R. was registered by Noman. Malafide on Haroon's part to register a counter F.I.R. against Noman cannot conclusively be ruled out at this stage.

4. The purpose for which the cheque was issued is not clear from the record and requires further inquiry. Further an offence under section 489-F P.P.C. falls within the non-prohibitory clause of section 497 Cr.P.C. Keeping in mind the principles enunciated in Tariq Bashir and 5 others vs The State (PLD 1985 SC 34), I do not see any exceptional or extraordinary reason to deny the applicant bail. Interim bail granted earlier is confirmed on the same terms and conditions.

JUDGE