

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Criminal Bail Application No. S-11 of 2026

Applicant : Ghulam Muhammad @ Yaseen, through Mr.
Safdar Ali Ghouri, Advocate.

Respondent : The State
Through Mr. Riaz Hussain Khoso, Deputy
Attorney General for Pakistan/Prosecutor.

Date of Hearing : 16.02.2026

Date of Order : 16.02.2026

*Crime No. 29/2025
u/s 4, 5 & 23 of Foreign Exchange
Regulation Act, 1947, r/w Section 34, 109,
PPC of PS FIA Composite Circle, Larkana.*

ORDER

Adnan Iqbal Chaudhry J. - Applicant seeks post-arrest bail in the aforesaid crime after the same has been declined by the Additional Sessions Judge-V, Larkana, by order dated 26.12.2025.

2. As per the FIR, the F.I.A received a tip that a person outside Yaseen Super Store, main Bazar Warrah, District Kamber Shahdadkot was carrying on illegal business of *hawala/hundi*; that upon a raid at the stated spot, the Applicant found carrying incriminating items, and therefore, arrested and booked for offences under sections 4 & 5, punishable under section 23 of the Foreign Exchange Regulation Act, 1947 [FERA].

3. Heard learned counsel and perused the record.

4. The items recovered from the Applicant upon arrest, listed in the FIR, include 2 cell phones, ATM cards, cheque books and PKR 200,000/- but do not include any foreign currency. Therefore, the offence under section 4 of the FERA seems doubtful.

5. Though it is contended by the learned Deputy Attorney General for Pakistan/Prosecutor that the data retrieved from the Applicant's cell phones reveals that he was engaged in the *hawala/hundi* business, that data has yet to undergo forensic examination and has yet to be tested at trial.

6. In any case, the maximum imprisonment prescribed by section 23 of the FERA for offences thereunder, does not exceed five years. Therefore, the offence alleged against the Applicant does not fall within the prohibitory clause of section 497, Cr.P.C. Consequently, bail becomes the rule and its refusal the exception.

7. In view of foregoing, the Applicant Ghulam Mohammad is granted post-arrest bail in Crime No. 29/2025 subject to furnishing solvent surety in the sum of Rs.100,000/- [Rupees One Hundred Thousand] and P.R bond in like amount to the satisfaction of the trial court.

8. Needless to state that observations herein are tentative and should not be construed to prejudice the case of either side at trial.

Judge

M Yousuf Panhwar**