

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Bail Appln. No. S-939 of 2025

Applicant : Toto son of Haji, Sohu
Through Mr. Badruddin Memon holding
brief on behalf of Mr. Muhammad Suleman
Kalhoro, Advocate

Complainant : Shamsher son of Misri Mal, Oad
Through Mr. Sikandar Ali Junejo, Advocate

The State : Through Mr. Mansoor Ahmed Shaikh, DPG

Date of Hearing : 19.01.2026

Date of Decision : 19.01.2026

ORDER

KHALID HUSSAIN SHAHANI, J.— The applicant, Toto, seeks the concession of post-arrest bail in a case bearing crime No.254 of 2025, for offence under Section 489-F PPC, registered at Police Station Moro. His earlier bail plea was declined by the learned Additional Sessions Judge-III, Naushahro Feroze, vide order dated 16.09.2025.

2. Briefly stated, the facts as set forth in the FIR lodged by complainant Shamsher on 05.08.2025 disclose that he is the proprietor of a paddy shop situated at Bandhi Road, Moro, and maintained cordial relations with the accused. On 14.01.2025, at 4:00 p.m., the complainant, along with his friends Ghulam Mustafa and Rajesh, was available at his shop when the accused Toto, accompanied by one Pervez Sohu, purchased 188 bags of rice at the rate of Rs.9,000 per bag, amounting to Rs.16,92,000/-. In lieu of payment, the accused issued a cheque for the said amount and took delivery of the rice bags. However, upon presentation, the cheque was dishonored due to insufficient funds. Upon the complainant's approach and subsequent refusal by the accused to resolve the matter, the complainant sought recourse through a court directive, upon which the FIR was registered.

3. Learned counsel Mr. Badruddin Memon, holding brief for Mr. Muhammad Suleman Kalhoro, Advocate for the applicant, contends that the

matter has been amicably settled between the parties outside the Court, and that a formal compromise application is to be presented before the learned trial Court. He therefore, urges that the applicant may be granted post-arrest bail in view of the compromise.

4. Upon Court's inquiry, learned counsel for the complainant as well as the learned Deputy Prosecutor General, representing the State, confirm the settlement between the parties and raise no objection to the grant of bail.

5. Considering that the offence under Section 489-F, PPC is compoundable in nature and that the parties have amicably reconciled, no objection is raised by learned counsel for the complainant in Court. It is further stated that the parties intend to file a formal compromise application before the trial Court. The learned Deputy Prosecutor General also concurs with the stance of both counsels. In view of the foregoing circumstances, the applicant has succeeded in making out a case for further inquiry, within the contemplation of Section 497(2), Cr.P.C. Accordingly, the applicant is admitted to post-arrest bail, subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) and a personal recognizance bond in the like amount, to the satisfaction of the learned trial Court.

J U D G E