

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.

Cr. Bail Application No.S-**462** of 2026
(**Aijaz Ali Chachar v. The State**)

Mr. Mujeeb-ur-Rehman Malano, Advocate along with Applicant.
Mr. Muhammad Ibrahim Gambhir, Advocate for Complainant.
Mr. Sardar Ali Shah, Additional P.G for the State.

Date of Hearing: **20-07-2026**

Date of Order: **20-07-2026**

ORDER

ZULFIQAR ALI SANGI, J.- Through instant Criminal Bail Application applicant Aijaz Ali seeks pre-arrest bail in Crime No. 30 of 2021, registered at P.S, Belo Mirpur, for offences under Sections 489-F and 506/2 PPC, after rejection of his bail plea by learned trial Court vide order dated 27.08.2024. Vide order dated 19.05.2026, applicant was admitted to interim pre-arrest bail by this Court.

2. The facts of the F.I.R. are mentioned in the bail application copy whereof is also attached with the memo of bail application, hence, need not to reproduce the same here.

3. Learned counsel for the applicant contends that the applicant is innocent and has falsely been implicated in this case due to mala fide intentions and ulterior motives. He submits that the applicant has no connection whatsoever with the alleged offence under section 489-F, P.P.C., as the cheque in question was allegedly issued by the co-accused, who is the real brother of the applicant. It is further contended that the complainant has implicated the present applicant merely on account of his relationship with the co-accused by levelling false allegations that he extended threats of dire consequences. Learned counsel further submits that the offence under section 489-F, P.P.C. carries a maximum punishment of three years' imprisonment and, therefore, does not fall within the prohibitory clause of section 497, Cr.P.C. Lastly, it is prayed that the

interim pre-arrest bail earlier granted to the applicant by this Court may be confirmed, as after the grant of interim pre-arrest bail, the applicant has been regularly attending the proceedings before the trial Court and has not misused the concession of bail.

4. Conversely, learned Additional Prosecutor General conceded to the confirmation of the interim pre-arrest bail earlier granted to the applicant by this Court. However, learned counsel for the complainant opposed the bail application on the ground that the applicant is nominated in the F.I.R. with the specific allegation of having extended threats of dire consequences to the complainant party.

5. I have heard the learned counsel for the applicant, learned Additional Prosecutor General, and learned counsel for the complainant, and have also perused the material available on record. The record reflects that the offence under section 489-F, P.P.C. pertains to the issuance of the cheque in question, which, prima facie, is alleged to have been issued by the co-accused, who is stated to be the real brother of the present applicant. The allegation against the applicant is confined to extending threats of dire consequences to the complainant party. Whether such allegation is substantiated by reliable evidence or has been levelled merely on account of the applicant's relationship with the principal accused is a matter requiring deeper appreciation of evidence, which can only be undertaken at the trial. It is also an admitted position that the offence under section 489-F, P.P.C. carries a maximum punishment of three years' imprisonment and, therefore, does not fall within the prohibitory clause of section 497, Cr.P.C. Furthermore, after the grant of interim pre-arrest bail by this Court, the applicant has regularly attended the proceedings before the trial Court and has not misused the concession of bail granted to applicant by this Court.

6. Under these circumstances, I am of the view that the applicant has succeeded to make out a case for confirmation of

interim pre-arrest bail earlier granted to him by this Court. Accordingly, this bail application is **allowed** and the interim pre-arrest bail earlier granted to the applicant is hereby confirmed on the same terms and conditions.

7. The observations made hereinabove are tentative and would not influence learned Trial Court at the time of deciding the case as the same are only for deciding this bail application.

J U D G E

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