

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Bail Appl. No.S-515 of 2026
[Sagram s/o Misri v. The State]

09.09.2026

For orders on office objections
For hearing of main case

Mr. Shanker Lal Meghwar, Advocate along with applicant on interim pre-arrest bail
Mr. Ahmed Nawaz Chang, Advocate along with complainant
Mr. Altaf Hussain Khokhar, DPG

ORDER

ABDUL MOBEEN LAKHO,J.- Applicant Sagram seeks pre-arrest bail in Crime No.96/2025 registered at Police Station Fort Hyderabad for offences under Section 489-F PPC, after dismissal of his application for pre-arrest bail by the learned III-Additional Sessions Judge, Hyderabad , vide order dated 28.04.2026.

2. The details and particulars of the case are already available in the bail application and the FIR and may be gathered therefrom; hence, the same need not be reproduced herein.

3. Learned counsel for the applicant contends that the applicant is innocent and has been falsely implicated in this case; that there is delay of more than three months in registration of FIR which has not been reasonably explained; that there is no business transaction or bank statement provided to the I.O.; that the challan has been submitted and the applicant is attending the trial Court regularly; that section with which the applicant is charged does not fall within the prohibitory clause of section 497 Cr.P.C.; that the applicant has never issued any cheque to the complainant; that the case of applicant requires further enquiry. Lastly he prayed for confirmation of interim pre-arrest bail already granted to the applicant.

4. On the other hand, learned counsel for the complainant opposed the confirmation of interim pre-arrest bail already granted to the applicant and prayed for dismissal of the application.

5. Learned DPG appearing on behalf of the State opposed the bail application.

6. I have heard the learned counsel for the parties and have examined the available material with their assistance. As per the FIR, the complainant was working as an employee

at a petrol pump. During the course of hearing, when he was asked, in the presence of his learned counsel, as to how, being an employee at a petrol pump, he had allegedly arranged an amount of Rs.5,000,000/- (Rupees five million) in cash and handed over the same to the applicant, he failed to furnish any satisfactory explanation regarding the source of the said amount. 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. It is also apparent from the record that there is a delay of more than three months in the registration of the FIR, which, prima facie, has not been satisfactorily explained. Furthermore, mere issuance of a cheque does not, by itself, constitute an offence under Section 489-F, P.P.C.; rather, it has to be shown that the cheque was issued dishonestly towards repayment of a loan or fulfilment of an obligation. In the present case, the investigation has been completed and the challan has already been submitted before the learned trial Court. The applicant is stated to be regularly attending the trial proceedings and, therefore, his further custody does not appear to be required for the purpose of investigation. The foregoing circumstances, when considered cumulatively, render the case of the applicant one requiring further inquiry within the meaning of Section 497(2), Cr.P.C.

7. In view of above discussion, I am of the tentative view that the applicant has been able to make out a case for confirmation of the interim pre-arrest bail already granted to him. Consequently, the instant bail application is allowed and the interim pre-arrest bail granted to the applicant vide order dated 29.04.2026 is hereby confirmed on the same terms and conditions.

The observations made hereinabove are tentative in nature and would not prejudice the case of either party at trial.

JUDGE