

ORDER SHEET  
**THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD**

Criminal Bail Application No.S-1098 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
	For orders on office objections. For hearing of main case.

30.12.2024.

Mr. Zulqarnain Talpur, advocate for the applicant.  
Mr. Tariq Ali Narai, advocate for the complainant.  
Applicant is present on ad-interim pre-arrest bail.  
Complainant is present in person.

ORDER

MUHAMMAD IQBAL KALHORO, J:- Complainant has alleged in the FIR that he invested an amount of Rs.4,500,000/- in the rice business of the applicant under an agreement. In response, the applicant issued him two cheques of Rs.1,200,000/- and Rs. 1,100,000/-. However, when presented to the bank, these cheques were dishonored, leading to lodging of the FIR.

The applicant’s counsel submits that the applicant has already handed over the entire amount to the complainant, leaving only Rs.200,000/- to Rs.300,000/- outstanding against him. However, these arguments are rebutted by the learned counsel for the complainant and the learned APG.

I have heard both the sides. Prima facie, there is no evidence to support claim that the applicant has handed over the alleged amount to the complainant. On the contrary, the investigation report reveals that the applicant has been found guilty of the offense. Sufficient evidence, including statements recorded under Section 161 CrPC, dishonored cheques, a copy of the agreement, and other relevant material, was collected during the investigation. The applicant is, therefore, not entitled to the extraordinary concession of pre-arrest bail, which is only meant to save innocent person from arrest and humiliation which may be caused to him if he is implicated in a criminal case falsely. Therefore, I do not find applicant entitled to the concession of pre-arrest bail. Accordingly,

the bail application is dismissed and ad-interim pre-arrest bail granted to the applicant vide order 04.10.2024 is hereby recalled.

The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE

Irfan Ali