

## **IN THE HIGH COURT OF SINDH AT KARACHI**

### **Criminal Bail Application No.17 of 2025**

Applicant : Chaudhary Muhammad Aslam  
through Mr. Muhammad Akbar Khan,  
Advocate

Respondent : The State  
Through Mr. Muhammad Noonari,  
Deputy Prosecutor General, Sindh and  
SIP Zulfiqar PS Gizri.

Date of hearing : 07.02.2025

Date of order : 07.02.2025

### **ORDER**

**AMJAD ALI SAHITO, J** -- Through this Bail Application, the applicant/accused seek post-arrest bail in Crime No.465 of 2024 registered under Sections 489-F PPC at Police Station Gizri, after his bail plea has been declined by the learned 1<sup>st</sup> Civil Judge and Judicial Magistrate South, Karachi, vide order dated 03.12.2024.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Per learned counsel for the applicant, the applicant/accused is in jail from for last right months and no progress has been made before the learned trial Court. He further submits that the applicant/accused for which offence he has been charged does not fall within the prohibitory of clause of Section 497. In support of his contention, he has relied upon the cases laws: 2023 SCMR 2122, 2023 SCMR 1977, 2008 PCr.LJ (Kar) 647, 2024 SCMR 1567 and 2024 SCMR 1596. Notices were issued to the complainant and the same are returned with the endorsement that the complainant has provided address is incomplete; however, learned counsel for the applicant submits that the

complainant is not attending the court unless directions have been issued by the learned trial Court.

4. On the other hand, learned Deputy Prosecutor General, Sindh opposed for grant of bail.

5. Heard and perused the record.

6. Admittedly, the applicant/accused is in jail from last eight months, no progress has been made before the learned trial. The applicant/accused for which offence he is charged does not fall within the prohibitory clause of Section 497, whereas grant of bail is a rule and refusal is an exception. No exception has been pleaded by learned Deputy Prosecutor General, Sindh to believe that he will misuse the concession of bail. Resultantly, the instant Criminal Bail Application is **allowed**, the applicant is granted bail subject to furnishing solvent surety in the sum of Rs.500,000/- (Rupees Five Lac Only) with P.R. bond to the satisfaction of the learned trial Court.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicants on merits.

JUDGE

Hyder/PA