

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Criminal Bail Application No.S-281 of 2025

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

13.05.2025

Mr. Muhammad Waseem Jamali advocate for applicant/accused.

Mr. Aslam Baig Laghari advocate for complainant.

Mr. Siraj Ahmed Bijarani Assistant PG. along with ASI Hashim Ali
PS Market Hyderabad.

MIRAN MUHAMMAD SHAH, J.- Through this Bail Application, Applicant has sought for post arrest bail in Crime No.259/2024 registered u/s 489-F PPC at PS Market Hyderabad, after dismissal of his bail plea by the learned 7th Additional Sessions Judge Hyderabad vide Order dated 17.03.2025, hence he approached this Court.

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 need not to be reproduced.

3. Learned counsel for applicant/accused argued that applicant/accused is innocent and has been falsely implicated in this crime. He further argued that ingredients of section 489-F PPC is not applying in the present crime hence case requires further enquiry. He further argued that the complainant filed summary suit on the basis of alleged cheques, which was returned under order VII rule 10 CPC on the ground that defective cheques. He further argued that FIR is registered with delay of two years without any plausible explanation which is fatal the prosecution case. He has further argued that no independent witness is cited in the case in hand and offence does not falls within the prohibitory

clause of section 497 Cr.P.C. Lastly, he has prayed that bail of applicant/accused may allowed.

4. On the other hand learned counsel for the complainant vehemently opposed the grant of bail application and argued that cheques issued by the applicant/accused have been dishonored hence applicant/accused has committed offence. He further argued that sufficient material available on record which connect the applicant/accused with commission of offence hence Applicant/Accused is not entitled for grant of bail.

5. Learned APG also opposed the Bail Application.

6. After hearing the advocate for appellant as well as the advocate for complainant so also the learned APG for the State I am of the opinion that this case requires further inquiry and further evidence is to be led for ascertaining the truth. The Applicant/Accused is behind bars since 4/5 months which is an unnecessary exercise. In such circumstances, this Bail Application is allowed and the applicant is granted bail subject to his furnishing solvent surety in the sum of Rs.300,000/- and PR bond in the like amount to the satisfaction of Trial Court. These are the detailed reasons in support of my short Order earlier passed on 13.05.2025.

JUDGE