

ORDER SHEET  
IN THE HIGH COURT OF SINDH KARACHI  
**Cr. Bail Appl. No.1245 of 2024**

Date	Order with signature(s) of Judge(s)
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For hearing of Bail Application.

**09.09.2024.**

Mr. Hamid Idress, Advocate along with the Applicant  
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General Sindh.

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***Muhammad Karim Khan Agha, J.*** Applicant Muhammad Naveed Khan has been booked in Crime No.233/2024 under Section 406/420 PPC registered at P.S Gizri, Karachi. He applied for pre-arrest bail which was declined by the Court IIIrd Additional Sessions Judge (South) Karachi. Hence, the applicant has approached this Court for pre arrest bail.

2. The brief facts of the case as per FIR are that the complainant lodged FIR on 18.02.2019 whereby he claims that he has executed an agreement for construction of Plot No.E-10, Chandio Village, Gizri, Karachi ground plus six floors. 50% amount was handed over to the complainant, however, in July 2022 the applicant failed to hand over the remaining amount i.e. Rs.2,45,00,000/- (Two Crore Forty Five Lac) and apparently the applicant had not built the plot properly on account of bad planning as there is no proper drainage system and when the complainant asked him about this, the applicant sent his person who threatened him hence the aforesaid FIR was lodged against the applicant.

3. I have heard learned counsel for the applicant as well as learned Assistant Attorney General and perused the record.

4. The offences under which the applicants have been charged carry maximum sentence of 07 years imprisonment and the general rules is that bail should be granted in such like cases unless exceptional circumstance exist. There is no exceptional circumstance existing in this case in order to decline the bail. The

charge has already been framed hence applicant is no longer required for further investigation. The case is based on documentary evidence which cannot be tampered with by the applicant. It is also noted that in this particular matter parties file a civil suit.

5. Under these circumstances, the pre arrest bail as granted earlier to the applicant Muhammad Naveed Khan by this Court is hereby confirmed on the same terms and conditions.

6. The concerned trial Court Karachi is directed to decide the case on merits expeditiously. Copy of this order shall be sent to the concerned trial Court for compliance.

7. The instant criminal bail application is disposed of in the above terms.

JUDGE