

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI
Cr. Bail Appl. No.2076 of 2024.

Date	Order with signature of Judges
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For hearing of Bail Application.

03.10.2024.

Mr. Muhammad Rashid Bari, Advocate along with Applicant
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General

Mohammad Karim Khan Agha, J:- Applicant Muhammad Yousuf Siddiqui was booked in FIR No.584/2023 under Section 489-F PPC registered at PS Gulshan-e-Maymar, Karachi. He applied for pre arrest bail before the Court of VIIth Additional Sessions Judge (West) Karachi which was declined vide order dated 07.09.2024. Hence the applicant approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that the complainant sold his car to the applicant in consideration of Rs.36,50,000/- and the applicant gave him a cheque of the same amount which when presented before the concerned bank was bounced. Hence the aforesaid FIR was lodged against the present applicant.

3. I have heard learned counsel for the applicant and learned Addl. Prosecutor General Sindh assisted by Mr. Mansoor Akbar, advocate on behalf of complainant and perused the record.

4. The maximum sentence available for the offence under which the applicant has been charged is 03 years imprisonment and the general rule is that bail should be granted in such like cases unless exceptional circumstances exist. There is no exceptional circumstance existing in this case in order to decline the bail. The case is based on the documentary evidence and the applicant cannot tamper with. The statement u/s.173 has already been submitted as such the applicant is no longer required for further investigation. The amount involved is relatively minor being Rs.36-lacs.

5. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier by this Court on 09.09.2024 to the applicant **Muhammad Yousaf Siddiqui** on the same terms and conditions.

6. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing on the trial of the applicant which shall be decided by the concerned trial Court expeditiously and no adjournment on any flimsy ground shall be allowed. In the event if the applicant misuses the concession of bail, the complainant shall be free to approach relevant forum for cancellation of his bail. Copy of this order shall be sent to the concerned trial Court i.e. 6th Judicial Magistrate (East) Karachi for compliance.

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

JUDGE

MAK/PS