

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI
Crl. Bail Appl. No.2268 of 2024.

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

30.10.2024.

Mr. Azhar Jillani, Advocate along with Applicant
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General
SIO Rao M. Rafiq, PS Boat Basin, Karachi.

Mohammad Karim Khan Agha, J:- Applicant Muhammad Uzair was booked in FIR No.510/2023 under Section 489-F PPC registered at PS Boat Basin, Karachi. He applied for pre arrest bail before the Court of Additional Sessions Judge-II (South) Karachi which was declined vide order dated 24.09.2024. Hence the applicant approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that the complainant sold the 16 unit of Air Conditioners to the applicant and one other on credit term for a period of 02 months. When the complainant asked to pay the credit amount in respect of Air Conditioners instead applicant and one other issued number of Checks totaling Rs.24,30,000/- which when presented at the concerned bank were bounced. Hence the aforesaid FIR was lodged against the present applicant and another.

3. I have heard learned counsel for the applicant. I have also heard learned Addl. Prosecutor General Sindh who has opposed the grant of bail.

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 which cannot be tampered with by applicant. Final challan has been

submitted as such the applicant is no longer required for further investigation. The amount involved is not so huge.

5. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier on 04.10.2024 to the applicant **Muhammad Uzain** 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. 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 Judicial Magistrate-II (South) Karachi for compliance.

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

JUDGE

MAK/PS