

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI
Crl. Bail Appl. No.2317 of 2024.

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

19.11.2024.

Mr. Jam Shahid, Advocate along with Applicant
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General

Mohammad Karim Khan Agha, J:- Applicant Muhammad Ajmal was booked in FIR No.97/2018 under Section 489-F PPC registered at PS Clifton, Karachi. He applied for pre arrest bail before the Court of Additional Sessions Judge-XI (South) Karachi which was declined vide order dated 29.05.2021. Hence the applicant has approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that the complainant working in Gress Pharma and met with the applicant who is running his own shop of hair dressing. Complainant kept 3 Bachat Committee with the applicant and when the complainant demanded his money back instead the applicant had given two checks total amounting to Rs.5,60,000/- to the complainant which when presented before the concerned bank, 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.

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 the applicant. The charge has been framed as such the applicant is no longer required for further investigation. The amount involved is not huge being Rs.12-lacs.

5. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier on 14.10.2024 to the applicant **Muhammad Ajmal** 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 the concerned trial for compliance.

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

JUDGE

MAK/PS