

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI
Crl. Bail Appl. No.2318 of 2024.

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

24.10.2024.

Mr. Mohsin Habib, Advocate along with Applicant
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General

Mohammad Karim Khan Agha, J:- Applicant Muhammad Feroze was booked in FIR No.341/2024 under Section 489-F PPC registered at PS Pakistan Bazar, Karachi. He applied for pre arrest bail before the Court of XIIth Additional Sessions Judge (West) Karachi which was declined vide order dated 19.09.2024. Hence the applicant approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that the complainant lent Rs.7,00,000/- to the applicant who was his friend because he was in financial problem and the applicant agreed to repay the same within one and half month. After lapse of the period complainant demanded his money back the applicant issued a cheque of Rs.7,00,000/- 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, 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 the applicant. Section 173 Cr.PC statement has been filed as such the applicant is no longer required for investigation. The amount involved is relatively minor being Rs.7-lacs.

5. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier on 10.10.2024 to the applicant **Muhammad Feroze** 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. 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 XVIIIth Judicial Magistrate (West) Karachi for compliance.

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

JUDGE

MAK/PS