

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**Cr. Bail Appl. No.2803 of 2023**

Date	Order with signature of Judges
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For hearing of Bail Application

**23.02.2024.**

Mr. Shafqat Gul Malik, Advocate for the applicant.  
Mr. Muhammad Iqbal Awan, Additional Prosecutor General  
Sindh.

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***Mohammad Karim Khan Agha, J.*** Applicant Shah Khalid S/o. Muhammad Feroze is facing trial in respect of FIR No.771 of 2022 U/s. 489-F/34 PPC registered at PS Gulshan-e-Iqbal, Karachi. He applied for pre-arrest bail before the Court of Xth Judicial Magistrate Karachi East, however, the same was recalled by the XIIth Additional District & Sessions Judge Karachi East vide order dated 05.12.2023, hence, the applicant has approached this Court for pre-arrest bail.

2. Brief facts of the case are that the applicant was owing the complainant who was businessman and the applicant paid the complainant two cheques in total Rs.16,00,000/- which when deposited in the complainant's Bank Account bounced, hence the aforesaid FIR has been lodged against the applicant.

3. I have heard the parties and perused the record.

4. The offence under Section 489-F PPC carries the maximum sentence of 03 years imprisonment and in such like cases the general rule is that bail should be granted unless some exceptional circumstance exist which justifies the refusal of bail. In this case no such exceptional circumstances exist. The case is based on documentary evidence which cannot be tampered with by the applicant. The charge has been framed and as such the applicant is no longer required for investigation. The amount involved is also not huge.

5. For the reasons discussed above, I find that the applicant has made out a case for pre-arrest bail as such the pre-arrest bail granted to the applicant Shah Khalid S/o. Muhammad Feroze earlier by this Court on 11.12.2023 is confirmed 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 outcome of the trial of the applicant which shall be decided by the concerned trial Court on merits based on the evidence placed before it. The trial court is directed to complete the trial within 03 months of the date of this order. Copy of this order shall be sent to Xth Judicial Magistrate Karachi East for compliance.

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

JUDGE

*M. Arif*