

ORDER SHEET
IN THE HIGH COURT OF SINDH, AT KARACHI.

Criminal Bail Application No.2477 of 2023

Date	Order with signature of Judge
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For hearing of bail application.

22.01.2024.

Ms. Mumtaz Chandio, Advocate for the applicant.
Mr. Abrar Ali Khichi, Additional Prosecutor General.

MOHAMMAD KARIM KHAN AGHA, J:- The Applicant Syed Zeeshan Saeed Hashmi S/o. Saeed Hashmi is facing trial before the Vth Judicial Magistrate Karachi South in respect of FIR No.676/2023 U/s. 420/406/381 PPC registered at P.S. Preedy, Karachi. The applicant applied for pre-arrest bail before the Xth Additional Sessions Judge Karachi South which was declined vide order dated 30.10.2023, hence the applicant has approached this Court for pre-arrest bail.

2. The brief facts of the case are that the applicant was looking after the NGO of the complainant whilst he was away in Australia and during this period according to the FIR the applicant misappropriated the funds from the NGO and stole other property, hence this FIR has been lodged against him for the aforesaid offences.

3. I have heard learned counsel for the parties and perused the record.

4. The offences for which the applicant has been charged carry the sentence which is less than 07 years imprisonment and in such cases the general rule is that bail should be granted unless some exceptional circumstances exist to decline the bail. In this case I have not seen any exceptional circumstances. The case is largely based on documentary evidence and there is no chance for the applicant to tamper with the same. Even otherwise it appears that it is a case of further inquiry as no recoveries have been made from the applicant. The applicant is no longer

required for investigation. Based on the above discussion, the pre-arrest bail granted earlier to the applicant Syed Zeeshan Saeed Hashmi S/o. Saeed Hashmi by this Court is confirmed on the same terms and conditions. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing of the outcome of the trial of the applicant which shall be decided by the concerned trial Court 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. A copy of this order shall be sent to Vth Judicial Magistrate Karachi South for compliance.

5. This pre-arrest bail application is disposed of in the above terms.

JUDGE

M. Arif