

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

Criminal Bail Application No.2554 of 2023

Date	Order with signature of Judge
------	-------------------------------

For hearing of bail application.

19.01.2024.

Mr. Saqib Ali Awan, Advocate for the applicant.
Complainant is present in person.
Mr. Abrar Ali Khichi, Additional Prosecutor General.

MOHAMMAD KARIM KHAN AGHA, J:- The Applicant Usman Ali S/o. Muhammad Feroz is facing trial before the Xth Judicial Magistrate Karachi Central in respect of FIR No.414/2023 U/s. 489-F PPC registered at P.S. Liaquatabad Karachi. The applicant approached the Additional Sessions Judge Karachi Central for pre-arrest bail which was declined vide order dated 28.10.2023, hence the applicant has approached this Court for pre-arrest bail.

2. The brief facts of the case are that the applicant was purchasing a flat from the complainant and in this regard he issued a cheque of Rs.680,000/- to the complainant which when produced before the concerned Bank was dishonored, hence the aforesaid FIR has been lodged.

3. I have heard learned counsel for the applicant, complainant in person and learned Additional Prosecutor General Sindh and perused the record.

4. The offence under section 489-F PPC carries the maximum sentence of 03 years imprisonment. The general rule in such like cases is that bail should be granted unless there are exceptional circumstances for declining the bail. There are no exceptional circumstances which exist in this case. The charge is to be framed today and the case revolves around documentary evidence and as such there is no chance of the applicant tampering with the same. Since the charge is to be framed today, the

applicant is no longer needed for further inquiry. The amount involved is also relatively meager being only Rs.680,000/-.

5. Under these circumstances, the ad-interim pre-arrest bail earlier granted to the applicant Usman Ali S/o. Muhammad Feroz 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 Xth Judicial Magistrate Karachi Central for compliance.

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

JUDGE

M. Arif