

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

Criminal Bail Application No.2756 of 2023.

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

For hearing of bail application.

29.01.2024.

Applicant is present in person.
Mr. Muhammad Iqbal Awan, Additional Prosecutor General.

MOHAMMAD KARIM KHAN AGHA, J:- The Applicant Jahangir Khan S/o. Jehanzaib Khan is facing trial before the IIIrd Judicial Magistrate Karachi East in respect of FIR No.1297/2023 U/s. 489-F PPC registered at P.S. KIA, Karachi. The applicant had applied for pre-arrest bail which was declined vide order dated 15.11.2023 by the XIIth Additional District & Sessions Judge Karachi East, hence the applicant has filed this pre-arrest bail application before this Court.

2. The brief facts of the case are that the complainant rented out a car to the applicant and the applicant gave him two cheques amounting to Rs.12,00,000/- in respect of the car rental which when presented before the concerned Bank these cheques were bounced, hence the aforesaid FIR has been lodged.

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. 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 case is based on documentary evidence and as such there is no chance of the applicant tampering with the same. The applicant is no longer required for further inquiry. The amount involved is also not particularly large being only Rs.12,00,000/-.

5. Under these circumstances, the ad-interim pre-arrest bail earlier granted to the applicant Jahangir Khan S/o. Jehanzaib Khan 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 on 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 IIIrd Judicial Magistrate Karachi East for compliance.

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

JUDGE

M. Arif