

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**

**Cr. Bail Application No.1547 of 2020**

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

**10.02.2021**

Mr. Abdul Nabi, Advocate for the Applicant.

M/s. Riaz Ahmed Bhatti and Allah Ditta Shakir, Advocates for Complainant.

Mr. Khadim Hussain, Addl. Prosecutor General.

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Applicant was booked in crime No.69 of 2019 registered at PS Bin Qasim, District Malir, Karachi for an offence u/s.489-F of PPC. His trial is now proceeding before the VIIIth Judicial Magistrate, Malir, Karachi wherein charge has yet to be framed as the applicant is in jail in Punjab as he is involved in many similar type of cases.

Brief facts of the case are that the applicant issued a cheque of Rs.1,72,00000/- (Rupees One Crore Seventy Two Lacs) to the complainant Mohammad Kashif which bounced hence the case is filed under Section 489-F PPC.

Learned counsel for the applicant has contended that this is a bailable offence as such he is entitled to bail as of right and that the trial has not been proceeding because the applicant is in jail in Punjab for approximately one and a half year and trial has not proceeded due to no fault of his own. He further contended that applicant is innocent and is entitled to be enlarged on post arrest bail.

On the other hand, learned Addl.PG and learned counsel for the complainant has submitted that the amount involved is very huge and that the applicant although getting bail from the Lahore High Court in a similar offence vide order dated 06.10.2020 has deliberately remained in jail by not paying surety amount in order to strengthen his case for post arrest bail in Karachi. They have also contended that the applicant is a habitual offender of many such cases and if he is granted bail he would abscond.

I have heard the parties and perused the material available on record.

Undoubtedly this case concerns a bailable offence and usually bail is granted in such cases unless there are exceptional reasons to decline the same.

In my view since the applicant is a habitual offender of offences of a like nature, the amount involved is huge and there are high chances of him absconding if he is granted bail. Under these circumstances the post arrest bail of applicant Tanveer Ahmed son of Muneer Ahmed is hereby dismissed. In this respect reliance is placed on 2018 YLR 1554.

However Secretary, Home Department, Government of Sindh is immediately directed to obtain custody of applicant Tanveer Ahmed son of Muneer Ahmed immediately from the jail at Punjab where he is presently confined through Home Department Punjab and ensure that his custody is handed over to the Superintendent of Central Prison, Karachi who shall produce him on each and every date of hearing before the trial Court.

Learned trial court is directed to hold the trial of the applicant on day to day basis and complete the same within four (04) months from the date of this order keeping in view that there are only 05 PWs. No adjournment shall be granted on flimsy grounds and if any adjournment application is made it shall be noted in the diary sheet who is responsible for delay. In the event the trial is not concluded in the given time, the applicant shall once again be at liberty to approach this Court for post arrest bail. A copy of this order shall be sent to Secretary Home Department Government of Sindh and the concerned trial Court for compliance.

JUDGE