

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Cr. Bail Appl. No.2396 of 2023

Date	Order with signature of Judges
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For hearing of Bail Application

11.01.2024.

Mr. Waqar Alam Abbasi, Advocate alongwith Applicant
Mr. Muhammad Iqbal Awan, Special Prosecutor ANF.

Mohammad Karim Khan Agha, J. Applicant Bahawal Haq son of Bacha is facing trial in the Court of VIII Judicial Magistrate (South) Karachi in respect of FIR No.1182 of 2021 of PS Preedy, Karachi lodged under Section 489-F Cr.PC. His interim pre-arrest bail was recalled vide order dated 17.10.2023 by Additional Sessions Judge-Xth (South) Karachi. Hence, the applicant has approached this Court for pre-arrest bail.

2. Brief facts of the case are that the applicant Bahawal Haq issued a cheque of Rs.9,14,000/- to the N.J. Auto Indus Company for purchase of a motor bike. However when cheque was submitted it was bounced hence the FIR was lodged against the applicant under Section 489-F Cr.PC.

3. I have heard the learned counsel for the applicant and learned Addl. Prosecutor General Sindh.

4. It is an admitted position that under Section 489-F Cr.PC carries maximum sentence of 03 years in jail and the general rule in such like cases bail should be granted unless exceptional circumstances are made out. In this case learned Additional Prosecutor General, Sindh has not been pointed out any exceptional circumstances. The amount involved is relatively meager being around rupees Nine lacs (Rs.9,00,000/-). The case also revolves around documentary evidence as such there is no chance for the applicant to interfere with the evidence.

5. Based on the above discussion, I find that the applicant has made a case for pre-arrest bail as such his pre-arrest bail granted by this Court on 15.11.2023 is confirmed on the same terms and conditions. This order is based only on a tentative assessment of the evidence and the learned trial

Court shall proceed and decide the same within three (03) months of the date of this order. Copy of this order shall be sent to Additional Sessions Judge-Xth (South) Karachi for compliance.

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

JUDGE