

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

Criminal Bail Application No.S- 1404 of 2025

Date of hearing: 31.08.2026.

Date of order: 31.08.2026.

Miss Naina Raj, Advocate for applicant along with applicant (on bail).

Mr. Pardeep Kumar, Advocate for complainant.

Mr. Altaf Khokhar, D.P.G for State along with IO/Inspector Muhammad Shahid.

ORDER

ABDUL MOBEEN LAKHO, J.- Applicant/accused Ghufraan seeks pre-arrest bail in Crime No.126/2023 registered at Police Station City Hyderabad for offence u/s 489-F PPC. Previously, the applicant/accused applied for the same relief before the learned Illrd Additional Sessions Judge, Hyderabad but the same was declined vide order dated 11.10.2025.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. Learned counsel appearing on behalf of the applicant contends that applicant is innocent and has falsely been implicated in the case in hand with malafide intention and ulterior motive of the complainant on account of some family dispute; that there is inordinate delay of more than 6 months in lodgment of FIR; that neither the applicant has given the cheque in question nor the same bears his signature; that the offence does not fall within the prohibitory clause of Section 497 Cr.P.C. She lastly prayed for confirmation of interim pre-arrest bail.

4. On the other hand, learned counsel for the complainant as well as learned D.P.G vehemently opposed the confirmation of interim pre-arrest

bail on the ground that the applicant/accused is nominated in FIR with specific role of issuing cheque in question.

5. Heard learned counsel for the parties and perused the entire material available on record.

6. It appears that there exists family terms between the parties. The date mentioned in the cheque is 01.10.2022 and it was presented on 14.04.2023 after the delay of more than six months in the bank instead the bank attached the memo of dishonourment of cheque. The complainant also could not explain as to why he kept the cheque in his possession for a long period. The offence u/s 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 some exceptional circumstances exist to justify denying the grant of bail. In this case no such exceptional circumstance exists. It is also noted that the case is based on documentary evidence and as such the applicant has no chance to tamper with the same. The challan has already been submitted and as such the applicant is no longer required for further investigation.

7. Based upon the above discussion the applicant has made out a good case for grant of pre-arrest bail. Accordingly, the instant bail application is allowed and the interim pre-arrest bail already granted to the applicant on 19.11.2025 is hereby confirmed on same terms and conditions. However, the learned trial Court is directed to complete the trial expeditiously. A copy of this order shall be sent to the trial Court for compliance.

8. Needless to mention here that the observations made hereinabove are tentative in nature and will not prejudice the case of either party at trial.

9. Pre-arrest bail application is disposed of in above terms.

JUDGE