

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 652 of 2024
(Saqib Mateen Siddiqi v. The State)

Date	Order with signature of Judges
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For hearing of bail application

27.05.2024

Mr. Muhammad Mansoor, advocate for the applicant
Mr. Muhammad Ibrahim Shaikh, advocate for the complainant
Mr. Mumtaz Ali Shah, Assistant Prosecutor General for the State

It is alleged that the applicant issued four cheques worth Rs.4800,000/- in favour of the complainant Muhammad Salman on account of the purchase of the car from him; those were bounced by the concerned bank when were presented there for encashment, for which the present case was registered.

The applicant, on refusal of pre-arrest bail by learned XIIth-Additional Sessions Judge, Karachi East, has sought the same from this Court by making the instant bail application u/s 498 Cr.P.C.

It is contended by learned counsel for the applicant that the applicant is innocent and has been involved in this case falsely by the complainant; the FIR of the incident has been lodged with a delay of about ten months and the offence alleged against the applicant does not fall within the prohibitory clause, therefore, the applicant is entitled to be admitted to pre-arrest bail, which is opposed by learned Assistant Prosecutor General for the State and the learned counsel for the complainant by contending that the applicant has committed the financial death of the complainant.

Heard arguments and perused the record.

The FIR of the incident has been lodged with a delay of about ten months; such delay could not be overlooked. The offence alleged against the applicant is entailing the punishment of imprisonment upto three years or fine. If the applicant after due trial is awarded the punishment of fine only then the imprisonment which he is likely to undergo on account of refusal of pre-arrest bail to him would be somewhat extra. The case has finally been challaned. The applicant has joined the trial and there is no allegation of misusing the concession of interim pre-arrest bail on his part. In these circumstances, a case for grant of pre-arrest bail to the applicant on the point of further inquiry and malafide is made out.

Under the given circumstances, the interim pre-arrest bail already granted to the applicant is confirmed on the same terms and conditions.

Instant bail application is disposed of accordingly.

J U D G E