

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
**Criminal Bail Application No. 432 of 2024**  
( Arsalan Khalid versus The State)

Date	Order with signature of Judges
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1. For orders on office objection (Flag A)
2. For hearing of bail application

**22.04.2024**

Mr. Noor Ahmed Malik, advocate for the applicant  
Mr. Abrar Ali Khichi, Addl. PG for the State

It is alleged that the applicant issued a cheque in favour of complainant Sajjad Zia dishonestly; it was bounced by concerned bank when was presented there for encashment, for that the present case registered.

On refusal of pre-arrest bail by learned VII-Additional Sessions Judge/MCTC-02, Karachi Central, the applicant has sought for the same from this Court by making the instant bail application under section 498 Cr.P.C.

It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the complainant only to settle with him his dispute over settlement of accounts, therefore, he is entitled to be admitted to pre-arrest bail on point of malafide and further inquiry.

None has come forward to advance arguments on behalf of the complainant; however, learned Addl. PG has opposed to grant of pre-arrest bail to the applicant by contending that he has committed the financial death of the complainant.

Heard arguments and perused the record.

The FIR of the incident has been lodged with delay of more than 02 months; such delay having not been explained plausibly could not be overlooked. The offence alleged against the applicant is not falling within the prohibitory clause of Section 497 Cr.P.C. The punishment which the alleged offence entails is imprisonment for three years or fine; if the applicant after due trial is awarded 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 and there is no allegation of misusing the concession of interim pre-arrest bail on the part of the

applicant. 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.

In view of above, the interim pre-arrest bail already granted to the applicant is confirmed on same terms and conditions.

Instant bail application is disposed of accordingly.

J U D G E