

3. Learned counsel for the applicant contended that the applicant has falsely been implicated in this case. He further contended that the applicant has not made any forgery and fake document i.e map of house for which the instant FIR has been registered.

4. Learned Additional Prosecutor General representing the State has also opposed the bail application and contended that the applicant has placed on record fake and fabricated documents before this Hon'ble Court, therefore, he is not entitled for concession of bail.

5. I have considered the arguments of learned counsel for the parties and perused the record. From perusal of FIR and challan I have observed that:-

i. The applicant/accused is nominated in the FIR with specific role of producing fake approved building plan of property before this Court, therefore, the Division Bench of this Court by order dated **19.12.2017** has directed the SBCA to initiate appropriate proceedings against the applicant.

ii. As per contents of FIR the approved building plan was found fake by the Sindh Building Control Authority and in this regard the SBCA has given report dated **20.7.2018** to the I.O.

6. In view of the above, since the applicant has made fraud with this Court and placed on record fake approved building plan in C.P No.D-6062/2016 and, therefore, no case for exercise of extra ordinary relief of bail before arrest is made out. There is no allegation of malice or personal grudge against the complainant for lodging a case against the applicant. He was beneficiary of forgery. There appear reasonable

grounds for believing that he has been guilty of an offence punishable under Sections mentioned in the FIR.

7. The cruxes of the above discussion is that keeping in view the above facts and discussion the applicant is not entitled to pre-arrest bail at this stage and, therefore, instant bail application is dismissed and interim bail granted on **24.07.2018** is hereby recalled. If the accused has not surrendered himself before the police voluntarily, once copy of this order is delivered to the trial Court, appropriate action may be taken by trial Court in accordance with law.

8. The observations made hereinabove are tentative in nature and would not influence trial Court while deciding the case of the applicant/accused.

JUDGE

Ayaz Gul