

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Bail Appl No.1751 of 2020

Date

Order with signature of Judge

Before:-

Mr.Justice Muhammad Ali Mazhar

Muhammad Altaf Khan.....Applicant/Accused

Versus

The State Respondent

Date of hearing 07-12-2020

Mr.Muhammad Hanif Qureshi & Ms.Zakia Hanif,
 Advocates for the Applicant.

Mr.Muhammad Ahmed, Assistant Attorney General.
 Sub-Inspector FIA, Amin Khan, I.O. of the case is
 present.

Muhammad Ali Mazhar, J: The applicant has applied for post arrest bail in Crime No.54/2013 (Case No.40/2013) lodged under Section 409, 420, 468, 471, 109 PPC read with Section 5(2) PCA-II, 1947 read with Section 3/4 of Anti-Money Laundering Act 2010 at P.S. FIA Crime Circle, Karachi.

2. The bail application of the applicant was dismissed vide order dated 07.11.2020 by the Special Judge (Central-I), Karachi. Learned counsel for the applicant argued that the name of the applicant was neither mentioned in the FIR nor in the interim challan. However, final challan was submitted in the trial court

on 05.08.2014, in which the name of the applicant was included at Sr.No.13. In the final challan (at page-113, paragraph 33) the name of some persons are mentioned in whose bank accounts the crime proceeds were transferred and the name of the applicant is mentioned at Sr.No.3.

3. Learned counsel for the applicant argued that the case of the applicant requires further inquiry, whether he was beneficiary of the amount or the same was transferred legitimately on account of some business transactions. He further argued that in the same FIR accused Jehanzeb Siddiqui, Tahir Gujjar and Muhammad Faisal have been granted bail and keeping in view the rule of consistency, the present applicant may also be granted bail. He also pointed out page-183, which is a medical certificate dated 22.10.2020 issued by Consultant Psychiatrist Dr.Saleem Ahmed, who certified that the applicant is a patient of Schizophrenia. Today the learned counsel also produced a copy of letter dated 25.01.2020 issued by Professor Dr.M.Iqbal Afridi, FCPS, FRCP addressed to the Executive Director, JPMC, Karachi with regard to the medical checkup of the present applicant with the advice to admit the applicant in the Department of Psychiatry and Behavioural Sciences under police custody. He further argued that besides merits, the applicant is also entitled for the concession of bail on medical ground and his proper treatment for the above illness is not possible in Jail.

4. The I.O. submits that the investigation was carried

out by Inspector Deedar Shaikh, who has retired from service. He further submits that the prime accused Muhammad Faisal has been granted bail and Tahir Gujjar, who was an employee of FIA was also granted bail, whereas Jehanzeb Siddiqui, who was an employee of Bank has also been granted bail. So far as bail on medical ground is concerned, the I.O. confirms that the present applicant is patient of Schizopherenia and needs proper treatment as per medical report. The I.O. and the learned Assistant Attorney General do not oppose the bail application on medical ground subject to furnishing solvent surety equivalent to the amount deposited in the bank account of the applicant as crime proceeds. The learned counsel for the applicant agrees to furnish above surety with P.R. Bond in the like amount.

5. In view of the above, the applicant is granted bail on medical ground subject to furnishing solvent surety in the sum of Rs.2,22,91,000/- (Rupees Two crore twenty-two lacs ninety-one thousand only) with P.R. Bond in the like amount to the satisfaction of the trial court. In addition to the surety the applicant will also deposit his original passport in the trial court. The bail application is disposed of.

Judge

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