

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Criminal Bail Application No.S-12 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For hearing of main case.

03.03.2021.

Mr. Ali Ahmed Laghari, Advocate along with applicant.

Ms. Sana Memon, A.P.G for State.

Mr. Sameeullah Rind, advocate for complainant.

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Irshad Ali Shah J.- It is alleged that the applicant issued cheque dishonestly, it was bounced when was presented before the concerned Bank for encashment by complainant Aamir, for that the present case was registered

2. The applicant on having been refused pre-arrest bail by learned Model Criminal Trial Court-I, Hyderabad has sought for the same from this Court by way of instant application under section 498 Cr.P.C.

3. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the complainant on account of his dispute with him over sale and purchase of the Car; the offence alleged against the applicant is not falling within prohibitory clause of section 497(2) Cr.P.C and very case on investigation has been recommended by the police to be cancelled under "C-class". By contending so, he sought for pre-

arrest bail for the applicant on point of further enquiry and malafide.

4. Learned Assistant Prosecutor General for the State and learned counsel for the complainant have opposed to grant of pre-arrest bail to the applicant by contending that the applicant has deprived the complainant of his money by practicing fraud.

5. I have considered the above arguments and perused the record.

6. The FIR of the incident has been lodged with delay of about three months; such delay could not be overlooked. The parties are disputed over sale and purchase of the Car. The offence alleged against the applicant is not falling clause of section 497(2) Cr.P.C. The very case has been recommended by the police to be disposed of under "C-class". In these circumstances, a case for grant of bail to the applicant on point of further inquiry and malafide is made out.

7. In view of above, the interim pre-arrest bail already granted to the applicant is confirmed on same terms and conditions with direction to learned Trial Court to dispose of very case against the applicant within one month.

8. The instant bail application is disposed of accordingly.

JUDGE

