

Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI  
Criminal Bail Application No. 1563 of 2021

Date	Order with signature of Judge
------	-------------------------------

For hearing of bail application :

**04.10.2021 :**

Mr. Makhdoom Ali Khan, advocate for the applicant / accused  
a/w M/S Ghulam Hussain Shah and Fahad Khan advocates.

Mr. Muhammad Nadeem Khan, Assistant Attorney General  
a/w Inspector Abid Hussain Soomro (CNIC No.43205-1520062-3),  
FIA, ACC Karachi, I.O. of the case (FIR No.16/2021).

.....

**NADEEM AKHTAR, J.** – This bail application under Section 497 Cr.P.C. has been filed by the applicant / accused Zameer Ahmed son of Zaheer Ahmed seeking admission to post-arrest bail in Crime No.16/2021 registered against him on 29.07.2021 at 1730 hours at P.S. FIA Anti-Corruption Circle Karachi under Sections 409, 420, 477-A and 109 P.P.C. The applicant / accused had filed Criminal Bail Application No.36/2021 which was dismissed by the learned III<sup>rd</sup> Judicial Magistrate Karachi South vide order dated 05.08.2021 ; and, Criminal Bail Application No.2795/2021 filed by him before the learned VIII<sup>th</sup> Additional Sessions Judge Karachi South was also dismissed vide order dated 11.08.2021.

2. The case of the prosecution, as set up in the subject FIR, is that the applicant was involved in the forward trading (“Satta”) through WhatsApp groups of clandestine *satta* mafia in order to fraudulently escalate the ex-mill sugar prices ; being a broker and an active member of the said groups, he was responsible for creating artificial shortage of sugar resulting in escalation of its price ; and, he sold 150,000 to 20,000 metric tons of sugar and earned heavy amounts on account of commission from sugar mills which amounts were credited by sugar mills in his proprietorship account of Master Corporation.

3. It is contended by learned counsel for the applicant that similar allegations have been made in the subject FIR against other individuals and their companies ; it is stated in the FIR that the role of each investor shall be ascertained after receipt of the forensic report of cell phone of one Muhammad Yamin and reconciliation of bank accounts, declarations, etc. ; it is also stated in the FIR that the record from SECP and other departments is yet to be procured to ascertain the role of the representatives of sugar mills of Omni Group ; the

above contents of the FIR are sufficient to show that investigation has not yet been completed, and thus this is a case of further inquiry ; in the order dated 02.08.2020, the learned Judicial Magistrate had recorded the statement of the investigating officer that the present applicant / accused is no more required for further investigation ; in the order dated 05.08.2021 while rejecting the applicant's bail application, it was observed by the learned Judicial Magistrate that the case is pending investigation and final report is yet to be submitted ; the applicant does not have any previous criminal record ; an interim charge sheet has been submitted before the learned Judicial Magistrate ; there is no possibility at all, nor has the prosecution expressed any apprehension, that the applicant will abscond ; the offences alleged under Sections 420, 477-A and 109 P.P.C. against him are bailable ; and, the offence alleged under Section 409 P.P.C. against him is not bailable, however, the concession of bail should be granted to him in view of the facts and circumstances of this case.

4. The learned Assistant Attorney General has reiterated the contents of the FIR. He, however, concedes that the offences under Sections 420, 477-A and 109 P.P.C. alleged against the applicant are bailable. Regarding the offence under Section 409 P.P.C. alleged against the applicant, the I.O. of the case present in Court states that bail may be granted to the applicant with a direction to him to join the investigation and to cooperate with the investigating team.

5. In view of the above, the applicant / accused is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.1,000,000.00 (Rupees one million only) and a P.R. bond for the same amount to the satisfaction of the Nazir of this Court. The applicant / accused is directed to join the investigation and to cooperate with the investigating team. If the concession of bail is misused by the applicant in any manner whatsoever, the learned trial Court will be at liberty to take action against him in accordance with law, including cancellation of bail.

This bail application stands disposed of in the above terms.

J U D G E