ORDER SHEET IN THE HIGH COURT OF SINDH, AT KARACHI Cr.Bail Apln No.989 of 2021

Date Order with signature(s) of Judge(s)

For hearing of bail apln

1. For orders on MA No.5767 of 2021

2. For orders on MA No.5768 of 2021

3. For hearing of main case

03.06.2021

Mr. Hussain Bux Saryo, Advocate for the Applicant a/w applicant

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1]. Urgency granted.

2]. Exemption granted subject to all just exceptions.

3]. Through this instant bail application, the applicant is seeking ad interim pre arrest bail in Crime No.80/2020 u/s 489-F/420/406/468/471/34 of PS Artillery Maidan, Karachi.

Learned counsel submits that this is second bail application as earlier in the same offence a bail application bearing No.319 of 2021 was pending and the applicant was on ad-interim pre-arrest bail, however, when the supplementary challans were submitted somewhere before 26.4.2021, the facts were brought to the knowledge of the court and the court being convinced with the case that he was no more required by the prosecution as he was discharged, he did not press the bail application.

Subsequently, the order of supplementary challans was challenged and was set aside by this court. The applicant has now moved a fresh application as earlier withdrawal was only on the count that his name was withdrawn from the supplementary challans. Had it not been done he would have continued with his bail application and would have obtained order on merits. He otherwise submits that he is only a signatory/witness in the alleged agreement disclosed in the FIR and none of the cheques was issued by him. He further submits that under no stretch of imagination his role could either be of a guarantor or of the one who confirmed the amount likely to be refunded. Without dilating upon the merits of the case, the applicant is admitted to pre-arrest bail, subject to his furnishing solvent surety in the sum of Rs.500,000/- [Rupees Five Hundred Thousand only] and P.R. Bond in the like amount to the satisfaction of Nazir of this Court.

To come-up for confirmation or otherwise, on a date to be fixed after 15 days` time, after notice to Prosecutor General Sindh and the complainant with direction to the applicant to join the investigation/trial as the case may be.

JUDGE