

ORDER SHEET
IN THE HIGH COURT OF SINDH, AT KARACHI
Cr.B.A. No.921 of 2021

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

For hearing of bail application.

28.05.2021

Mr. Muhammad Bilal Rashid, advocate for the applicant a/w
applicant

-0-0-0-

The applicant was issued first call up notice u/s 160 Cr.PC dated 20.5.2021 by FIA in respect of an offence registered as Crime No.07 of 2020 u/s 23 FER 1947 duly amended uptodate of PS FIA State Bank Circle, Karachi.

Learned counsel at the very outset submits that though he is willing to cooperate and appear before the officer who issued aforesaid notice yet he will not rule out that he might be arrested in relation to an offence which is not associated with him. He submits that primary structure/test for availing aforesaid remedy is available, in the shape of FIR and his apprehension of arrest as is eminent from the facts of the case as being joint account holder in respect of which FIR was registered.

I have heard learned counsel and perhaps on the face of it this protective bail could only be granted had he intend to appear before concerned trial court for appropriate remedy for an offence registered as above. Though it is not claimed either in the application or in the arguments advanced by the counsel yesterday and today that the applicant would appear before concerned trial court yet I put him on notice to assist this court regarding maintainability of this application as it is, as I am not deciding this application on merit and the only purpose of disposing of this application would be that the applicant would surrender before concerned trial court for availing remedy if permissible under the law. Initially he showed his interest to appear before IO which is perhaps not

the spirit of seeking a protective bail, he then submits that he would not press protective bail provided a reasonable time is given during which he may not be arrested and he may appear before the concerned trial court for availing appropriate remedy in respect of offence registered as Crime No.07 of 2020 where he is being looped in before a challan is submitted. The suggestion of the learned counsel seems to be appropriate and reasonable. I therefore dispose of this application with direction that the applicant may appear before the concerned IO for any queries as and when raised by him and he may not be arrested, provided he may surrender himself before the concerned trial court within ten [10] days` time or at any earlier given time subject to furnishing solvent surety in the sum of Rs.50,000/- [Rupees Fifty Thousand only] and PR bond in the like amount to the satisfaction of Nazir of this Court. The operation of this order shall cease to have effect on an early surrender or expiry of time given above, on the 10th day of passing of this order.

The Application stands disposed of accordingly.

J U D G E