## ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI Crl. Bail Application No. 528 of 2021.

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Date

Order with signature of Judge

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For hearing of bail application.

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## 27th April 2021

Mr. Muhammad Jamil, advocate for applicant/accused.

Mr. Faheem Hussain Panhwar, DPG.

Complainant is present.

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Mr. Muhammad Atiq Qureshi, advocate files vakalatnama on behalf of complainant taken on record.

Without prejudice to the merits of the case father of applicant/accused hands over four post-dated cheques bearing Nos. 41507678 dated 10.06.2021, 41507679 dated 10.07.2021, 41507680 dated 10.08.2021 and 41507681 dated 10.09.2021 respectively and Rs.200,000/- cash to the complainant through counsel for the complainant, who has received the same under protest. Photocopies of the cheques are taken on record Needless to mention that applicant's father admits the outstanding amount of Rs.800,000/- paid by the complainant, whereas, complainant is disputing the quantum of amount, according to complainant Rs.1500,000/- [Rupees Fifteen Hundred Thousand Only] was the principal amount paid to the applicant. Accordingly, instant Crl. Bail Application is disposed of in terms that in case any cheque as referred above is dishonoured, bail shall be considered as cancelled and trial court would be competent to issue NBWs or remand the applicant in custody. Besides, case before the trial court will proceed on merits after encashment of cheques given today. However, evidence may be recorded but judgment shall not be announced unless disputed amount is paid. Needless to mention that this interim settlement is for the purpose of bail and parties would be competent to negotiate further or trial court would be competent to decide the case on merits without considering to the amount paid by the father of the applicant purely on merits after receiving Rs.800,000/- as undertaken by the father of the applicant. Accordingly, applicant is admitted to post arrest bail subject to furnishing his solvent surety in the sum of Rs.50,000/- and P.R. bond in the like amount to the satisfaction of the trail Court.