

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Crl. Bail Application No. 2413 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGES
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For hearing of bail application.

28-4-2022

Mr. Faizan Aziz, Advocate a/w applicant.

Mr. Muhammad Ahmed, Assistant Attorney General a/w SIP Manzoor Abbasi,
FIA, I.O. of the case.

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Omar Sial, J: Nisar Ahmed Bajwa has sought pre-arrest bail in crime number 43 of 2021 registered under sections 420,468,471 and 109 P.P.C. at the Anti Human Trafficking Circle police station in Karachi. Earlier, his application seeking bail was dismissed by the learned 4th Additional Sessions Judge, Malir on 5-5-2021.

2. A back ground to the case is that the aforementioned F.I.R. was registered on the complaint of Muhammad Shoaib on 7-4-2021, who is an officer of the Anti Human Trafficking Circle, FIA. Complainant reported that 30 original Pakistani passports of 15 persons were sent to the FIA from the Head of Legal and Consular Department, Consulate General of Federal Republic of Germany, Karachi under cover of a letter which informed the F.I.A. that German visas affixed on the passports were fake. F.I.A. has conducted its inquiry and the I.O. of the case present in court has confirmed that the applicant has cooperated fully in the investigation. According to the F.I.A. there is a person by the name of Hasan Mansoor who was handed over the passports which belonged to several persons and also included the passports of the applicant, his wife and two children. Till now the F.I.A. is of the view that there is a very strong possibility that the applicant himself is a victim of the fraud played by Hasan Mansoor or some other person. Offence under sections 420 and 471 P.P.C. is bailable whereas at this stage there is little or no evidence to support the allegation that the applicant has committed an offence under section 468 P.P.C. In the cases such as present one it would be nearly impossible to demonstrate malafide on the part of the F.I.A. as they have acted on the complaint of Germany Consulate General, however there is little point in declining the bail on this technicality in view of the circumstances of the case and accordingly the interim pre-arrest bail granted earlier to the applicant is confirmed on the same terms and conditions.

JUDGE