

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Crl. Bail Application No. 1734 of 2020
Crl. Bail Application No. 1735 of 2020

Date order with signature of Judge

For hearing of bail application.

1st. January, 2021

Mr. Waqar Alam Abbasi, Advocate for applicant in Crl.B.A. No.1734/2020.
Mr. Hassan Sabir, Advocate for applicant in Crl.B.A. No.1735/2020.
Chaudhry Waseem Akhtar, DAG.

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Omar Sial, J: Muhammad Yaseen and Muhammad Sufian have sought post arrest bail in crime number 2 of 2020 registered under sections 11(1)(J)(a), 11K, 11N, 21C(7) and 21I of the Anti Terrorism Act 1997 as well as sections 4, 5 and 23 of the Foreign Exchange Regulation Act, 1947 at the FIA police station. Earlier their bail application was dismissed by the learned 3rd Additional Sessions Judge, Karachi South on 29-10-2020.

2. Very broadly the case against the applicants is that they assisted in the transfer of money through hundi/hawala channels for the benefit of a political party.

3. I have heard the learned counsel for the applicants and the learned DAG who was assisted by the investigating officer of the case. My observations are as follows.

4. At the very outset the learned DAG confirmed that all sections under the Anti Terrorism Act, 1997 against the applicants had been dropped and that the only offence alleged against them is pursuant to the Foreign Exchange Regulation Act 1947, which carry a potential sentence of up to 5 years. Although non-bailable, the said punishment of the said offences falls within the non-prohibitory clause of section 497 Cr.P.C. After, the State dropping the charges of terror financing against the applicants, there are no extraordinary or exceptional grounds to deny the applicants bail. The entire evidence in the matter is in

possession of the FIA and the applicants are no longer required for investigation, as was confirmed by the investigating officer.

5. The applicants are admitted to bail subject to their furnishing solvent sureties in the sum of Rs. 200,000 each and P.R. Bonds in the like amount to the satisfaction of the learned trial court.

JUDGE