

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

Crl. Bail Application No. 1676 of 2022

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**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

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For hearing of bail application.

**08-03-2023**

Mr. Adeel Aslam, Advocate for applicant.

Mr. Abdul Ghaffar Kalwar, Advocate for complainant.

Mr. Faheem Ahmed Panhwar, Addl.P.G.

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**Omar Sial, J:** Mohammad Kamran has sought post arrest bail in crime number 613 of 2020 registered under section 489-F P.P.C. at the Ferozabad police station. Earlier, his application seeking bail was dismissed on 30.05.2022 by the learned 2<sup>nd</sup> Additional sessions Judge, Karachi East.

2. A brief background to the case is that the aforementioned F.I.R. was registered on 08.10.2020 on the complaint of one Zeeshan Ahmed who reported an incident that had occurred on 05.10.2020. Zeeshan reported that he owned a scrap business and that he had asked the applicant to sell the scrap. The applicant allegedly sold the scrap but did not give Zeeshan all the money he had received as sale consideration. The applicant, when asked, allegedly gave Zeeshan a cheque in the sum of Rs. 1,000,000, which bounced upon presentation.

3. I have heard the counsels for the applicant and the complainant as well as the learned Addl.P.G. My observations and findings are as follows.

4. At the outset only all the counsels present have confirmed that the applicant has been in jail since 01.01.2022. This means that he has been in jail for 14 months already in an offence that carries a potential sentence of up to 3 years. I further understand that there is still some time to go in the conclusion of the trial. It appears that the applicant would have served out his sentence before the trial concludes. The offence with which he is charged, though non-bailable falls within the non-prohibitory clause of

section 497 Cr.P.C. I am cognizant of the principles laid down by the Supreme Court of Pakistan in Tariq Bashir and 5 others vs The State (1995 PLD SC 34) and do not see any exceptional or extraordinary reasons to deny him bail.

5. Above are the reasons for the short order dated 02.03.2022.

JUDGE