

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Crl. Bail Application No. 396 of 2023

DATE

ORDER WITH SIGNATURE OF JUDGES

For hearing of bail application.

19-04-2023

Mr. Aroon Parsad, Advocate for applicant.
Ravi Kumar, complainant present in person.
Mr. Talib Ali Memon, APG.

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Omar Sial, J: Mohammad Shafqat Nawaz has sought post arrest bail in crime number 764 of 2022 registered under section 489-F P.P.C. at the Preedy police station. Earlier, his application seeking bail was dismissed on 12.10.2022 by the learned 10th Additional Sessions Judge, Karachi South.

2. The aforementioned F.I.R. was registered on 20.08.2022 on the complaint of one Ravi Kumar. Ravi recorded that 6 months ago he had given the applicant Rs. 30 million as the applicant had promised him profit on the same. Profit was not given and when Ravi asked him for the same, the applicant gave him a cheque of Rs. 5 million that bounced upon presentation.

3. I have heard the learned counsel for the applicant and the learned APG who was assisted by the complainant in person.

4. The learned APG confirms that there is nothing on record to show that an amount of RS. 30 million was given to the applicant by the complainant. The complainant too expresses his inability do so. I find it extremely unnatural that such a high amount was given by the complainant to the applicant without the same being documented in any manner whatsoever. This is an avenue that requires further inquiry. The applicant has been in jail for 6 months already in a crime that carries a maximum penalty of 3 years imprisonment. Probably by the time the trial ends, he will served out his sentence without an official proclamation of guilt from the learned trial court.

5. Above are the reasons for the short order dated 17.04.2023.

JUDGE