

**Order Sheet**  
**IN THE HIGH COURT OF SINDH,**  
**BENCH AT SUKKUR**

Crl. Bail Application No.S- 570 of 2023

Date of hearing	Order with signature of Judge.
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**Hearing of Bail Application**

**08-09-2023**

Mr. Muhammad Ali Dayo, Advocate along with applicant.  
Mr. Zaheer Ahmed Ujjan, Advocate files power on behalf of complainant.  
Mr. Aftab Ahmed Shar, Additional P.G for the State.

**ORDER**

**MUHAMMAD IQBAL KALHORO, I.-** Allegedly applicant borrowed Rs. 20,00,000/- from complainant, his class-fellow, for investment in his business, which he failed to return and cheque in lieu of such amount given to complainant by him, when presented in the Bank was dishonored, hence FIR.

2. Learned counsel for applicant submits that a Faisela was conducted between the parties by a Nekkard of locality and the matter was settled, In the investigation, statement of PW-Farhan Ali, brother of complainant was recorded, in which he stated that entire amount had been given to his brother/complainant. Hence, the I.O disposed of case under C-class, but the Magistrate concerned did not agree with him and took cognizance of the offence.

3. Learned counsel for complainant has opposed bail. However, learned Additional P.G submits that it is a case of further enquiry.

4. In view of above, coupled with the fact that the I.O had disposed of the case under C-class, meaning custody of applicant is not required by the police and even own brother of complainant, who is PW in the case has, *prima facie*, disowned contents of FIR, the case for further enquiry is made out.

5. Accordingly, this bail application is **allowed** and the interim pre-arrest bail earlier granted to applicant by this Court is confirmed on the same terms and conditions.

6. The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

**JUDGE**