

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Cr. Bail App. No. S – 593 of 2023

Date of hearing

Order with signature of Judge

For hearing of bail application

1. For orders on office objections at Flag-A
2. For hearing of bail application

02.10.2023

Mr. Saeed Jamal Lund, Advocate for complainant along with complainant.

Mr. Aftab Ahmed Shar, Additional Prosecutor General.

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Muhammad Iqbal Kalhoro, J. – Applicant and his Counsel both are called absent. This is a date-by-Court matter, and on the last date of hearing, the case was adjourned to today in presence of applicant, when his Counsel was absent. In any case, I have read FIR with the assistance of learned Additional Prosecutor General, which reveals that on the pretext of providing a job to a son of the complainant, applicant duped complainant into giving him Rs.15,00,000/- (Rupees fifteen lac), but then neither he returned him money nor a job. When the complainant demanded money, an order of a Junior Clerk of son of complainant, namely Tariq Hussain, was given to complainant but on enquiry it was found fake; hence, he again demanded the money from him, but to no avail. Finally, he registered the FIR.

2. Learned Additional Prosecutor General has informed that applicant is a habitual criminal and at least five (05) FIRs in identical offences have been registered against him. He further submits that in one of the FIRs, the Federal Investigation Agency (FIA) had conducted an enquiry and found applicant part of a

bigger racket, which is deceiving people on different pretexts, including on the pretext of providing them different jobs.

3. Be that as it may, applicant and his Counsel are called absent without intimation, and the facts of FIR plus 161 CrPC statements and other material as noted above, *prima facie*, point out to involvement of the applicant in the present offence. He, therefore, is not entitled to extra ordinary relief of pre-arrest bail, which is to be given to innocent persons who have been implicated falsely, to save them from arrest, in a non-bailable offence.

4. Accordingly, this bail application is **dismissed** and interim pre-arrest bail earlier granted to applicant by this Court vide order dated 30.08.2023 is hereby recalled.

5. The observations, as above, are tentative in nature and not meant to affect merits of the case before the trial Court.

Abdul Basit

J U D G E