

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 648 of 2024
(Muhammad Afreen v. The State)

Date

Order with signature of Judges

For hearing of bail application

21.05.2024

Mr. Abdul Mutalib, advocate for the applicant

Mr. Muhammad Hussain Raza, advocate for the complainant

Mr. Mumtaz Ali Shah, Assistant Prosecutor General for the State

It is alleged that the applicant misappropriated a car which was given to him by complainant George Masih for its painting, for which the present case was registered.

The applicant having been refused bail by learned Courts below, has sought the same from this Court by way of the instant bail application u/s 497 Cr. P.C.

It is contended by learned counsel for the applicant that the applicant is innocent and has been involved in this case falsely by the complainant to satisfy his grudge with him; the FIR of the incident has been lodged with a delay of about six months and offence alleged against the applicant is not falling within the prohibitory clause, therefore, he is entitled to be released on bail on the point of further inquiry, which is opposed learned Assistant PG for the State and learned counsel for the complainant by contending that the applicant has misappropriated the car of the complainant which was acquired by him after hard labour.

Heard arguments and pursued the record.

The FIR of the incident has been lodged with a delay of about six months; such delay could not be overlooked. The offence alleged against the applicant does not fall within the prohibitory clause. The case has finally been challaned and there is no likelihood of

absconson or tampering with the evidence on the part of the applicant who is said to be in custody for five months without effective progress in the trial of the case. In these circumstances, a case for the release of the applicant on bail on point of further inquiry is made out.

Under the given circumstances, the applicant is admitted to bail subject to his furnishing surety in the sum of Rs.50,000/- (rupees fifty thousand only) and P.R bond in the like amount to the satisfaction of the learned trial Court.

Instant bail application is disposed of accordingly.

J U D G E