

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
**Criminal Bail Application No. 566 of 2024**  
**(Muhammad Imran versus The State)**

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Date	Order with signature of Judges
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For hearing of bail application

**29.04.2024**

Mr. Shamshad Ali Qureshi, advocate for the applicant  
Mr. Abrar Ali Khichi, Additional Prosecutor General for the State  
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It is alleged that the applicant issued two cheques worth rupees one crore and eight lacs in favour of complainant Abdul Jawad, those were bounced by the concerned bank when were presented there for encashment, for which the present case was registered.

The applicant, on having been refused post-arrest bail by learned Courts below, has sought the same from this Court by making the instant bail application under section 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 only to settle his dispute with him over the property and the civil dispute between them is pending adjudication before the Civil Court having jurisdiction, therefore, he is entitled to be released on bail on point of further inquiry. In support of his contentions, he relied upon case of *Noman Khaliq v. the State (2023 SCMR 2122)*.

None has come forward to advance arguments on behalf of the complainant, however, learned Addl. PG for the State has opposed to release of the applicant on bail by contending that he has committed the financial death of the complainant by issuing fake cheques in his favour dishonestly.

Heard arguments and perused the record.

The FIR of the incident has been lodged with a delay of about one month; such delay could not be overlooked. The offence alleged against the applicant does not fall within the prohibitory clause of Section 497 Cr.P.C. The punishment which the alleged offence entails is imprisonment up to three years or a fine; if the applicant after due trial is awarded the punishment of fine only then the imprisonment which he is undergoing would be somewhat extra. The parties are alleged to be disputed over settlement of accounts and civil litigation between them is pending adjudication before the Court having jurisdiction. The case has finally been challaned. The applicant has been in custody since 21.01.2024 without effective progress in the trial of his case. There is no likelihood of absconsion or tampering with the evidence on the part of the applicant. In these circumstances, a case for the release of the applicant on bail on point of further inquiry is made out.

Under the given discussion, the applicant is admitted to bail subject to his furnishing surety in the sum of Rs.500,000/- (Rupees Five Lacs 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