

# IN THE HIGH COURT OF SINDH, KARACHI

## **Criminal Bail Application No. 717 of 2024**

<i>Date</i>	<i>Order with signature of Judge</i>
<b>Applicant</b> Muhammad Bux son of Ali Muhammad (present on bail)	: through Mr. Muhammad Azam Zardari, Advocate
<b>The State</b>	: Through Ms. Rubina Qadir, Deputy Prosecutor General, Sindh.
<b>Complainant</b> Ghulam Mustafa Memon	: through Mr. Zubair Ali Butt, Advocate
<b>Date of hearing</b>	: 04.10.2024
<b>Date of order</b>	: 04.10.2024

### **ORDER**

Muhammad Saleem Jessar, J:- Through this application, applicant Muhammad Bux seeks his admission to pre-arrest bail in Crime No.754 of 2023 of Police Station Saeedabad, Karachi, under Section 489-F PPC. The applicant preferred his anticipatory bail before the Court of Sessions wherefrom it was assigned to Addl. Sessions Judge-III, Karachi (West) vide Criminal Bail Application No.156/2024 (re-Muhammad Bux Versus The State), who after hearing the parties, has turned down his request through order dated 18.03.2024; hence, instant bail application has been maintained.

2. Since the facts of the prosecution case are already mentioned in the FIR, which is annexed with the Court file, therefore, there is no need to reproduce the same.

3. At the very outset, learned counsel for the applicant submits that trial against accused has been commenced and the statement of complainant has also been recorded on 02.10.2024 whereby complainant has admitted that signatures allegedly put-fourth by the accused are differed. He further submits that amount involved in this case is Rs.10,00,000/- which is meager one; hence prays that case against applicant requires further inquiry, therefore, he may be admitted to pre-arrest bail.

4. On the other hand, learned Deputy P.G, Sindh appearing for the State, opposes the bail application on the ground that applicant is nominated in the FIR and he has defrauded the complainant by usurping his amount.

5. Learned counsel for the complainant while adopting the arguments advanced by learned Deputy P.G, Sindh, also opposes the bail application.

6. **Heard arguments and perused record.** Since, the amount involved in this case is meager one and the trial against accused has been commenced where statement of complainant has also been recorded on 02.10.2024 whereby he has admitted that signatures allegedly put-fourth by the accused are differed. In my view, case against applicant requires further inquiry within meaning of subsection (2) to section 497 Cr.P.C. Consequently, instant bail application is hereby allowed; interim bail granted earlier to applicant **Muhammad Bux son of Ali Muhammad** on 28.03.2024 is hereby confirmed on same terms and conditions.

7. Applicant present before the Court is directed to continue his appearance before the trial Court without negligence and in case he may misuse the concession or may temper with the prosecution's evidence then the trial Court would be competent to take legal action against him as well to his surety in terms of Section 514 Cr.PC. Trial Court is also hereby directed to make necessary arrangements for securing attendance of the prosecution witnesses and conclude the trial within shortest possible time under intimation to this Court through MIT-II.

8. Let copy of this Order be communicated to trial Court through learned Sessions Judge, concerned. Learned MIT-II to ensure compliance.

**JUDGE**