

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Misc. Appln. No. S – 72 of 2024

Date of hearing	Order with signature of Judge
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Hearing of case

1. For orders on office objection at flag 'A'
2. For hearing of main case

18.10.2024

Mr. Aneet Kumar Roopeja, Advocate for the Applicant
Mr. Shafi Muhammad Mahar, DPG for the State
Private respondent Muzamil Hussain present in person

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Heard learned counsel for the applicant, learned DPG for the State and private respondent Muzamil Hussain present in person.

It is contended by learned counsel for the applicant that bail has wrongly been granted to the private respondent and there was admission that cheque has been issued by the private respondent to the complainant, therefore, he was not entitled for grant of bail, hence without considering such facts, the learned trial Court has granted the extra ordinary concession of pre-arrest bail to the private respondent. He lastly prayed that the impugned bail grant order may be set-aside.

Learned DPG for the State supported the impugned bail grant order by contending that the learned trial Court has rightly admitted the private respondent on pre-arrest bail as there was civil dispute between the parties. In support of his contention, he has relied upon the *cases of Ahmed Shakeel Bhatti and others vs. The State and others reported as (2023 SCMR 1)*.

From perusal of impugned bail grant order dated 02.02.2024, it reflects that besides other grounds in fact the bail was granted to the private respondent on the ground that the alleged offence does not come within the prohibitory clause of Section 497 CrPC. No other cogent ground has been either

mentioned in the application or argued that the private respondent has misused the concession of bail nor any other ground is agitated as settled by Honourable Supreme Court in the case of *Muhammad Imran vs. The State and others reported as (PLD 2021 Supreme Court 903)*. Resultantly, the instant Criminal Miscellaneous Application is dismissed.

Judge

ARBROHI