

ORDER SHEET  
**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD.**

Cr. Bail Application No.S-166 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

1. For orders on office objections.
2. For hearing of main case.

17.04.2023.

Applicant is present on interim pre-arrest bail.

Syed Zeeshan Hyder Shah, Advocate for complainant.

Ms. Sana Memon, Asst. Prosecutor General, Sindh.

=

**MUHAMMAD IQBAL KALHORO J:-** It is alleged in F.I.R that applicant induced complainant to give him Rs.12,00,000/- [Rupees Twelve Lac] against an undertaking of getting him government job in Education Department. On his failure to fulfill his undertaking, complainant demanded money back, and the applicant issued him two (02) cheques Rs.6,00,000/- [Rupees Six Lac] each which on presentation in bank were dishonored leading to registration of this F.I.R against him. Applicant's counsel has chosen to remain absent. I have heard the applicant in person who states that he is innocent, has been falsely implicated in this case. His arguments have been rebutted by learned counsel for complainant and Asst. Prosecutor General, Sindh.

It may be mentioned that on the last date of hearing viz. 03.04.2023 when this case was taken up the applicant had undertaken to return money to the complainant within a period of 15 days. Today apart from making his arguments for bail as above he has sought for more time for this purpose, which irrespective of merits of the case, in fact alludes his acquiescence to outstanding amount against him. Not only the cheques issued by the applicant have been dishonored but the way he deceived complainant into giving him money is reprehensible and does not deserve any leniency. There is a *prima facie* strong case against the applicant in the shape of dishonored cheques. He has not been able to furnish any explanation either of issuing cheques to the complainant. In presence of such *prima facie* evidence, the applicant is not entitled to concession of extra ordinary relief of pre-arrest bail which is meant to

be extended to an accused who is innocent and falsely implicated in the case. Whereas in this case apart from above, the Investigating Officer too after a thorough investigation has found the applicant involved in the offence. No case for pre-arrest bail is made out. Accordingly, the bail application is dismissed and ad-interim pre-arrest bail granted to applicant vide order dated 20.02.2023 is hereby recalled.

The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

**JUDGE**

***\*Hafiz Fahad\****