

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail Appl. No.2863 of 2024

Date	Order with signature of the Judge
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29.01.2025

Mr. Muhammad Hanif Qureshi, advocate for applicant.
Ms. Rahat Ahsan, Addl. P.G.

ORDER

MUHAMMAD IQBAL KALHORO J: Applicant Usama is seeking post arrest bail in Crime No.417/2024 U/s 489-F PPC of P.S. Super Market, Karachi.

2. As per brief facts, it is alleged by the complainant that he gave Rs.49,50,000/- to applicant for investment in his business, who issued him five cheques as a guarantee to give him profit monthly wise. When he failed to account for profits, complainant demanded his money and applicant asked him to get the cheques encashed which on presentation in the bank were dishonoured, hence FIR.

3. Learned defence counsel submits that alleged offence is punishable for three years; Challan has been submitted and applicant is no more required for further investigation; keeping applicant in jail is not beneficial to the prosecution. His arguments have been opposed by learned APG.

4. I have considered submissions of the parties and perused record. The alleged offence carries punishment of three years only and does not fall within prohibitory clause of section 497(1) Cr.P.C. in such cases unless exceptional circumstances are available, grant of bail is rule. More so, Challan has been submitted and applicant is no more required for further investigation.

5. In view of above, this application is allowed and applicant is granted bail subject to furnishing a solvent surety in the sum of Rs.200,000/- and P.R bond in the like amount to the satisfaction of the trial court.

The bail application is disposed of.

The observations made hereinabove are tentative in nature and would not prejudice case of either party.

JUDGE