

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl. No.1533, 1883 & 1602 of 2024**

15.10.2024

Syed Jameel Ahmed, a/w Ashifa Iqbal Advocate for applicant.
Mr. Badar Hussain, advocate for complainant.
Ms. Rahat Ahsan, Addl. P.G.

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ORDER

MUHAMMAD IQBAL KALHORO J: Applicant Muhammad Ali is seeking pre arrest bail in Crime Nos.12/2024 U/s 406, 420, 34 PPC of P.S. F.B. Industrial Area, 487/2024 U/s 489-F PPC of P.S. Manghopir, 306/2024 U/s 489-F & 420 PPC of P.S. Boat Basin, Karachi. Applicant is present on interim pre arrest bail granted to him vide orders dated 11.07.2024, 21.08.2024 and 22.07.2024 respectively and matter is fixed for confirmation or otherwise.

2. As per brief facts, applicant is a landlord of go-down of which complainant was tenant. He used to keep sheera molasses (by product of sugar) in his go-down and wait for enhancement in its rate (hoarding) and then would sell it. It is alleged that he had taken some stock of sheera from the go-down and kept remaining stock there. Subsequently, it is alleged that the remaining sheera molasses was sold by the applicant. When the complainant demanded his stock of sheera molasses from the applicant, he entered into an agreement with him and issued him seven cheques of different amount total Rs.6,46,88,000/-.

3. So far, complainant has registered four FIRs against the applicant in respect of different cheques which however, were issued allegedly in one and the same transaction. The FIR does not specifically disclose as to how when the godown was rented out to complainant, applicant came into possession thereof and sold sheera. More so, the agreement relied upon by the counsel for complainant does not show due to what reason, the accused owed money to the complainant. Malafide on the part of complainant is further prima facie established from the fact that he has registered FIR against the applicant at different police stations in respect of the cheques which were issued purportedly by him in one and the same transaction. Further the offences do not carry punishment of more than three years and do not fall within prohibitory clause of section 497(i) Cr.P.C. Moreover, the case has been challaned and the applicant is no more required for further investigation. Learned counsel for applicant has prayed for confirmation of interim pre arrest bail whereas learned APG and counsel for complainant have opposed the same.

4. In consideration of aforesaid facts and circumstances, these applications are allowed and the interim pre arrest bail granted to the applicant is confirmed on the same terms and conditions.

The observations made herein above are tentative in nature and would not prejudice case of either party at trial.

The Cr. Bail Applications are disposed of.

Office to place a copy of this order in connected bail applications.

J U D G E

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