

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.**

Cr. Bail Appl. No.925 of 2024

10.06.2024

Mr. Ghulam Asghar, Advocate for applicant.
Ms. Rubina Qadir, DDPP for the State

ORDER

MUHAMMAD IQBAL KALHORO J: Applicant Manzar Saleem is seeking pre arrest bail in Crime No.172/2024 U/s 406,506 PPC of P.S. Khuwaja Ajmeer Nagri, Karachi. He was admitted to interim pre arrest bail vide order dated 30.04.2024 and today matter is fixed for confirmation or otherwise.

2. It is alleged by the complainant in FIR that accused, who is his friend, had borrowed his Honda Civic Car bearing No.AEZ-132 for personal use for one week under agreement but when after one week, he refused to hand over his vehicle and contested legal notice issued by him in this regard, he filed an application u/s 22-A & B Cr.P.C and succeeded in registering present FIR u/s 406, 506 PPC as applicant had issued him threats.

3. Learned counsel appearing for applicant submits that under an agreement for sale, vehicle was purchased by the applicant from complainant and out of entire sale consideration of Rs.7,75000/-, he had paid him Rs.5,50,000/- and is ready to pay to the complainant remaining amount; if he agrees to give original file of the vehicle. His arguments have been rebutted by learned counsel for complainant and learned DDPP, who submit that the copy of the agreement relied upon by applicant is false and fabricated.

4. Be that as it may, the authenticity of the document will be determined in the trial by the court. Prima facie there is a document showing that the dispute between the parties is over a transaction of car which is basically of a civil nature. More so, there is delay of three months in registration of FIR, which prima facie has not been explained. The offence does not carry punishment of more than 10 years, hence does not fall within prohibitory clause of section 497 Cr.P.C. Further the case has been challaned and the applicant is no more required for further investigation. In these circumstances, this application is allowed and the interim pre arrest bail granted on 30.04.2024 is confirmed on the same terms and conditions.

The bail application is disposed of in the above terms.

JUDGE

A.K