

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl No.653 of 2020

Date	Order with signature of Judge
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Amir Ahmed Tareen .....Applicant

**Versus**

The State.....Respondent

For hearing of bail application

**05.10.2020**

Mr. Sheikh Rehan Farooq, advocate for applicant  
Mr. Mukesh Kumar Khatri, Assistant Attorney General

**ORDER**

Applicant remained Manager (Operation) in Dubai Islamic Bank Pakistan Limited from August, 2015 to May, 2019. In 2017 complainant Alay Javed Zaidi lodged a complaint with Federal Investigation Agency (FIA) alleging illegal activities in his bank accounts being maintained in the said bank, whereby the amounts to the tune of Rs.12,000,000/- (Rupees one crore twenty lac only) were withdrawn. During the tenure of applicant allegedly Rs.5,600,000/- (Rupees fifty six lac only) were withdrawn from his bank accounts. Against said allegation, not only FIR was registered but a departmental enquiry was also initiated. In the enquiry, no bank official was found involved and it was established that bank officials signatures on the fund transfer application, etc. were made in routine. However, FIA found sufficient evidence against the applicant and others and referred them to trial u/s 173 Cr. PC.

2. Earlier, an attempt of the applicant to seek bail from this court was frustrated vide order dated 02.10.2019, and the trial court was directed to conclude the trial preferably within 03 months. It has been stated that during the last one year since 09.08.2018 the applicant is in jail only 01 witness has been examined, who has not implicated the applicant.

3. Learned defence counsel during his arguments has cited the above facts and in addition while relying upon case of (**Shamraiz Khan Vs. The State**) **2000 SCMR 157** has submitted that applicant is ready to furnish security of same amount allegedly withdrawn during his tenure. He next submits that since the challan has been submitted, the applicant is no more required for further investigation.

4. Learned Assistant Attorney General has opposed bail to the applicant. However, we in the facts and circumstances as above are of a humble view that applicant is entitled to the concession of bail not only in view of dicta laid down in case of Shamraiz Khan (**supra**) but on the consideration that for the last one year the trial is proceeding at snail's pace and only one witness out of 31 witnesses has been examined, and that this is a documentary-evidence-based case which has already collected and therefore the applicant is no more required for further investigation. Accordingly, this bail application is allowed, and the applicant is granted bail subject to his furnishing security of Rs.5,600,000/- besides a solvent surety in the sum of Rs.200,000/ (Rupees two hundred thousand only) with P.R. bond in the like amount to the satisfaction of the trial Court.

5. Bail application stands disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

Rafiq/P.A.