

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

Criminal Bail Application No.S-358 of 2022.

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objection.
For hearing of main case.

29.08.2022.

Mr. Altaf Sachal Awan advocate for the applicant.
Ms. Sana Memon Assistant Prosecutor General.
Applicant present on ad-interim pre-arrest bail.

ORDER

MUHAMMAD IQBAL KALHORO, J:- Applicant is alleged to have issued a cheque of 1,250,000/- to the complainant against loan of same amount he obtained from him on 15.11.2021 which on presentation was dishonored. Learned defence counsel submits that there is delay in registration of FIR; no evidence has been submitted by complainant regarding obtaining loan from him by the applicant and applicant has no relation with complainant but his partner Riaz from whose possession the cheque was taken by the complainant and misused.

Learned APG submits that except dishonoring of cheque, no evidence is available to establish allegation of loan given to the applicant by the complainant and that basic ingredients of Section 489-F PPC are missing. The submissions made by learned defence counsel and learned APG merit consideration and malafide on the part of complainant cannot be ruled out. In the circumstances, this bail application is allowed and ad-interim pre-arrest bail granted to the applicant vide order 26.05.2022 is hereby confirmed on the same terms and conditions.

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

JUDGE