

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

Criminal Bail Application No.S-917 of 2021.

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| <b>DATE</b> | <b>ORDER WITH SIGNATURE OF JUDGE</b> |
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For hearing of main case.

25.10.2021.

Mr. Imtiaz Ali Chandio advocate for the applicant.  
Mr. Shahzado Saleem Nahiyoona, Additional Prosecutor General.  
Applicant is present on interim pre-arrest bail.  
Mr. Abdul Shakoor Keerio advocate for the complainant.

ORDER

MUHAMMAD IQBAL KALHORO, J:- Applicant is accused of issuing two cheques of Rs.800,000/- and Rs.300,000/- to the complainant against Suzuki Alto Car given to him temporarily by complainant which he did not return to him, which on presentation were dishonored and hence, he has been implicated in this case.

Applicant's counsel has pleaded innocence and submits that there is no material to show that complainant had any Suzuki Alto Car which he had given to applicant or that the applicant had given cheques in repayment of loan or fulfillment of obligation to him to attract provisions of Section 489-F PPC.

Learned APG has not opposed grant of bail to the applicant stating that in the police papers there is nothing to show that complainant had a car which he had given to the applicant. I have asked the complainant, present whether he has any proof of purchasing the Alto car from showroom, receipt etc. or a photograph of the car which he had given to the applicant. He has replied in negative. In the investigation this aspect of the case has not been attended to by the Investigation Officer. Besides there is nothing to show that the applicant had given the cheques to the complainant either in fulfillment of any obligation or repayment of loan. The transaction alleged by the complainant is prima facie without any proof and suspicious, therefore, false implication of the applicant cannot be ruled out.

Accordingly, this bail application is allowed and ad-interim pre-arrest bail granted to the applicant vide order 13.10.2021 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**

Irfan Ali