

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Bail Application No.529 of 2025

Date	Order with Signature(s) of Judge(s)
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For hearing of bail application.

27.03.2025

Mr. Muhammad Umar Farooq, Advocate for applicant/accused.
Mr. Khaleeq Ahmed, DAG.

ZAFAR AHMED RAJPUT, J:- Through instant criminal bail application, applicant/accused Syed Najam-ul-Hassan s/o Syed Muhammad Latif seeks post-arrest bail in Crime No.49/2012 registered at P.S. FIA, CBC, Karachi, under Section 419/420/468/471/477-A/109/34, P.P.C. Earlier the Special Court (Offences in Banks) Sindh at Karachi dismissed the application of the applicant for bail before arrest, filed in Case No.70/2012, vide order dated 21.02.2025, by taking him into custody and remanded to jail.

2. The case of the prosecution is that Enquiry No.135/2011 of FIA CBC, Karachi was registered. During the course of the enquiry, it was transpired that in the year 2011, a gang of fraudsters, namely, Syed Najmul Hassan (*the applicant*), Muhammad Nasir Khan, Saleem Ahmed Butt, Syed Junaid Ali Shah and Syed Hammad Ali had hatched a plan of bank fraud by opening a fake account No.0056-10442095 on 12.07.2011 in the name of Syed Khalid Ali Warsi of M/s. Real Builders with NIB Bank Hyderi Branch, Karachi. All above named accused in connivance of each other got transferred an amount of Rs.2,906,000/- in bogus account, which was in the name of Syed Khalid Ali Warsi from Account No.7072457 titled M/s Saadat International Lahore through various fund transfer requests bearing fake signatures of the customer M/s. Saadat International Lahore during the period from 15.07.2011 to 19.07.2011. That amount was withdrawn through cheques and ATM transactions.

4. Heard, record perused.

5. The applicant was arrested on 19.10.2012 in the instant case. He was granted post-arrest bail by trial Court vide order dated 28.11.2013. He used to appear before trial Court till 19.10.2016 and thereafter he jumped the bail. However, on 06.02.2017 an intimation, signed by one Armaghan Khalil was received to the trial Court through post from Lahore that applicant was died. The intimation was supported with death certificate purportedly issued and signed by Secretary Union Council Gulshan-e-Ravi, Lahore. Subsequently, the death certificate was sent for verification through FIA. On 21.02.2017 verification report was submitted by the I.O. FIA whereby it was reported that death certificate is fake and forged, resultantly NBWs were issued against applicant and notice to his surety. However, the trial was proceeded by the trial Court against other accused persons and PWs were examined. After completion of proceedings, the case was disposed of vide judgment dated 04.11.2021. It was; thereafter, the applicant, on 21.02.2025, appeared before the trial Court and filed an application under Section 498, Cr. P.C. along with medical certificate, which was declined by the Court, vide order dated 21.02.2025.

6. It is an admitted position that after obtaining post-arrest bail from the trial Court on 28.11.2013, the applicant jumped the bail on 06.02.2017 and furnished false and fabricated death certificate in Court through post and after eight (8) years he appeared before the trial Court and filed an application under Section 498, Cr. P.C. Hence, he is not entitled to any concession of bail being fugitive of law. Therefore, this bail application is dismissed, accordingly.

JUDGE

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