

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl No.1778 of 2024
(Ahmed Baksh vs. The State)

21.10.2024

Mr. Muhammad Umar Farooque, advocate for applicant a/w applicant
Mr. Shuhab Deen Siyal, advocate for complainant
Ms. Rahat Ahsan, Addl: PG Sindh a/w Shakeel PS Landhi

ORDER

MUHAMMAD IQBAL KALHORO J: It is alleged that applicant purchased a Revo Model 2021 vehicle from the applicant and gave him three cheques of different accounts when complainant presented two cheques of Rs.35,00,000/- and Rs.6,50,000/- the same were dishonored, hence, FIR.

2. Earlier when a bail application of the applicant was dismissed, he had approached this Court in Cr. B.A. No.471/2023 and was granted bail vide order dated 07.06.2023 . However, subsequently, he absconded, and against him proceedings u/s 87 and 88 Cr. PC were initiated and his bail was canceled. After that he again appeared and applied for pre-arrest bail before the relevant District & Sessions Judge but it was dismissed.

3. Learned defence counsel has argued that applicant was being harassed by the complainant, hence, he had disappeared, he has already filed an application u/s 22-A & B Cr.PC for registration of FIR against complainant.

4. His arguments have been opposed by learned counsel for complainant and learned Addl: PG Sindh, who has relied upon the case law reported in **2021 PLD SC 903.**

5. The impugned order shows that after applicant was granted pre-arrest bail by this Court, he jumped off the same and disappeared. Against him proceedings u/s 87 & 88 Cr.PC were initiated and he was declared proclaimed offender. Without surrendering before the trial Court, he appeared before the learned Sessions Judge concerned instead and applied for pre-arrest bail, which was dismissed. In the circumstances, no case of extra-ordinary concession of pre-arrest bail is made out. The concession earlier granted by the applicant was misused by him and he jumped off the bail, remained fugitive from the law. In the circumstances, I do not find any merit in this application and dismissed it. The ad-interim pre-arrest bail granted to the applicant on 09.08.2024 is hereby recalled.

6. Needless to mention that the observations made herein above are tentative in nature and would not prejudice case of either party at trial. The bail application is disposed of in the above terms.

JUDGE

Rafiq/P.A.