

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl. No.2359 of 2024
(Shoukat Ali vs. The State)

Date	Order with signature of Judge
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For hearing of Bail Application.

14.11.2024.

M/s. Raja Masood Ahmed and Ubedullah Abro, advocate for applicant a/w applicant
Mr. Mujahid Anjum Gondal, advocate for complainant a/w complainant
Mr. Saleem Akhtar, Addl: PG Sindh a/w IO Akbar Ali Narejo, PS. Johar, Karachi

ORDER

MUHAMMAD IQBAL KALHORO J:- It is alleged that complainant in order to purchase a flat gave Rs.64,00,000/- to applicant. Thereafter, neither, he returned the amount, nor gave possession of the flat. Instead, he issued three (3) cheques to the complainant, which on presentation in the bank have been dishonoured, hence, the FIR.

2. Learned defence counsel has submitted a statement showing that complainant is habitual in registering the FIRs against different persons and so far he has got as many as 14 FIRs registered against different persons, besides he is using different phone numbers to further his nefarious interests.

3. Learned counsel for the complainant has opposed bail, so also, the complainant. Learned Addl: PG Sindh has, however, halfheartedly opposed the bail.

4. I have heard the parties and perused material available on record. IO of the case is present and has admitted that complainant has failed to provide any proof of giving any money to the applicant, let alone Rs.6,400,000/-. Further, complainant is habitual in registering FIRs against the different persons. According to him, there is only dishonored cheque as a proof of the case. In any case *prima facie*, the basic ingredient that the cheque has been issued either in fulfillment of obligation or repayment of loan is missing in this case. Hence, false implication of the applicant cannot be ruled out. Hence, the case for bail is made out and the bail application is allowed and ad-interim pre-arrest bail granted to the applicant vide order dated 14.10.2024 is hereby confirmed on same terms and conditions.

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

Rafiq/P.A