

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl No.2123 of 2024
(Budhu vs. The State)

27.11.2024

Mr. Ahmed Hussain, advocate holding brief for Mr. Raza Mukhtiar, advocate for applicant

Ms. Rahat Ahsan, Addl: PG Sindh

ORDER

MUHAMMAD IQBAL KALHORO J: Complainant was in business relationship with the applicant and during the course of which, he gave Rs.1,200,000/- to him. When he asked him to account for money, he gave him a cheque of Rs.400,000/-, which on presentation was dishonoured. Hence, FIR.

2. Applicant's counsel has chosen to remain absent. Applicant is present in person and contends that he has been falsely implicated in this case and has got enmity with complainant, who has registered a fabricated case against him.

3. On the other hand, learned Addl: PG Sindh submits that applicant is *prima facie* involved in the case and more so, he had not joined the investigation after registration of FIR and remained fugitive from law.

4. I have considered submissions of the parties and perused material available on record. I am of a view that *prima facie* applicant is involved in the case as he did not join investigation, which, nonetheless, found him involved in the case on the basis of material collected, which includes 161 CrPC statements of witnesses and dishonoured cheque. In the circumstances, he is not entitled to extra-ordinary concession to pre-arrest bail which is only meant to protect an innocent person from arrest and humiliation in a criminal case in which he has been falsely implicated. Accordingly, this application is dismissed. The ad-interim pre-arrest bail granted to the applicant on 20.09.2024 is hereby recalled.

5. 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.

J U D G E

Rafiq/P.A.