

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.**

Cr. Bail Appl No. **50** of 2020

| Date | Order with signature of Judge |
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Arif KhanVs.....The State

For hearing of bail application

11.02.2020

Mr. Liaquat Ali Khan, Advocate for Applicant
Mr. Ali Haider Salim, DPG a/w complainant and PI/IO Muhammad
Sohail, SIU, Saddar, Karachi

ORDER

Applicant is seeking post arrest bail in a case bearing Crime No.267/2019, U/s 384, 385, 386 PPC read with section 7 ATA, registered at Police Station New Town, Karachi.

2. Complainant in FIR has alleged that under pretext to give information about abduction of her husband from Dalbadin in 2010, the applicant received Rs.2,000,000/- (Rupees twenty lac) on different occasions from her and then further demanded Rs.1,000,000/- (Rupees ten lac) as 'Bhatta' and further threatened her in this regard. Hence, she reported the matter to the police on 20.09.2019 and then on 21.09.2019 he was arrested and Rs.1,000,000/- as 'Bhatta' containing fake/dummy currency notes, which she had handed over to him, were recovered from him and he was booked in this case.

3. Learned defence counsel has argued that whole story is false, the applicant was taken by the police on 17.09.2019 regarding which his wife namely Rabail Arif had filed an application U/s 491 Cr. P.C. before learned Sessions Judge, (East), Karachi. Pursuant thereof learned Magistrate raided at Police Station Brigade, Karachi and did not find him but his car was found there; that she then lodged FIR bearing crime No.421/2019 U/s 365 PPC at Police Brigade, Karachi against police officials on 23.12.2019, and only to take revenge from him, the present FIR was got registered by the police through their proxy.

4. On the other hand, learned DPG accompanied by the complainant has opposed grant of bail to the applicant and submits that there is sufficient evidence against him as he was arrested with 'Bhatta' amount. Insofar as aforesaid FIR registered by wife of the applicant is concerned, it

has been disposed of under 'C' Class after having been found as an afterthought.

5. We have heard submissions of the parties and perused material available on record. In our view, there is *prima facie* sufficient material to connect the applicant with the alleged offence. The ground of FIR lodged by his wife subsequently is no more available to him after the same has been disposed of under 'C' Class. Further, the record reflects that evidence of the complainant has been recorded and she has *prima facie* supported the allegations against him. The above facts coupled with recovery of alleged 'Bhatta' from the applicant on the date of his arrest furnish sufficient material against him. Therefore, we are of the view that he is not entitled to concession of bail at this stage. Accordingly, this bail application is dismissed. However, we direct the trial court to expedite the trial and conclude it within a period of two (02) months hereof.

6. The bail application is disposed of in the above terms; the findings made hereinabove are tentative in nature and would not prejudice case of either party at trial.

Judge

Judge

Rafiq P.A.