

**ORDER SHEET**  
**HIGH COURT OF SINDH AT KARACHI**

**Crl. Bail Appl. No.1899 of 2024**  
(*Sheikh Muhammad Saqib v. the State*)

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

**05.11.2024.**

M/s. Waqar Alam Abbasi and Arslan Naeem, Advocates for the Applicant

Mr. Muhammad Iqbal Awan, Addl. Prosecutor General

Complainant Abdul Mannan in person

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**Mohammad Karim Khan Agha, J:-** Applicant Sheikh Muhammad Saqib was booked in FIR No.383/2024 under Section 489-F PPC registered at PS Gulshan-e-Iqbal, Karachi. He applied for pre arrest bail before the Court of Additional Sessions Judge-XII (East) Karachi, however, the same was declined vide order dated 05.08.2024. Hence the applicant approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that complainant Abdul Mannan paid an amount to the applicant in cash for the purpose of business transaction and the applicant had to pay monthly profit, however, he failed to do so and when the complainant demanded his money back, the applicant gave him one cheque of Rs.9,00,000/-, when it was presented before the concerned bank, the same was bounced. Hence the aforesaid FIR was lodged against the present applicant.

3. I have heard learned counsel for the applicant. I also heard learned Addl. Prosecutor General Sindh and the complainant in person who have opposed to grant of the instant bail.

4. The maximum sentence available for the offence under which the applicant has been charged is 03 years imprisonment and the general rule is that bail should be granted in such like cases unless exceptional circumstances exist. There is no exceptional circumstance existing in this case in order to decline the bail. The case is based on the documentary evidence and the applicant cannot tamper with the same. Per learned counsel, the final challan has been submitted as such the applicant is no

longer required for further investigation. The amount involved is relatively minor being Rs.09-lacs.

5. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier on 22.08.2024 to the applicant **Sheikh Muhammad Saqib** on the same terms and conditions.

6. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing on the trial of the applicant which shall be decided by the concerned trial Court expeditiously. No adjournment on any flimsy ground shall be allowed. In the event if the applicant misuses the concession of bail, the complainant shall be free to approach relevant forum for cancellation of his bail. Copy of this order shall be sent to the XXIIth- Judicial Magistrate Karachi, East, for compliance.

7. The instant criminal bail application stands disposed of in the above terms.

**JUDGE**

Nadir\*