

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

**Cr. Bail Appl. No.1396 of 2024**

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Date	Order with signature(s) of Judge(s)
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For hearing of Bail Application.

**02.09.2024.**

Sardar Sher Afzal, Advocate for the Applicant.  
Mr. Ali Haider Saleem, Addl. Prosecutor General Sindh.

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Applicant Muhammad Abdul Farooq has been booked under FIR No.172/2024 under Section 406/34 PPC registered at P.S Shahra-e-Faisal, Karachi. He applied for pre-arrest bail which was declined by the Court 8<sup>th</sup> Additional Sessions Judge (East) Karachi. Hence, the applicant has approached this Court for pre arrest bail.

2. The brief facts of the case as per FIR are that the complainant Muhammad Aliyan loaned his car to one Raja Qaiser Ali who wanted to use the car in a wedding ceremony and thereafter the car would be returned. However, Raja Qaiser Ali did not return the car which lead to the registration of the aforesaid FIR.

3. I have heard learned counsel for the applicant as well as learned Assistant Attorney General and have carefully reviewed the record. Mr. Zahid Hussain Rajpar, learned counsel for the complainant preferred to remain absent.

4. The office under which the applicant has been charged carries maximum sentence of 07 years imprisonment and the general rules is that bail should be granted in such like cases unless exceptional circumstance exist. There is no exceptional circumstance existing in this case. It is also noted that the main accused in this case is Raja Qaiser Ali, who obtained the car on loan and failed to return the same and the applicant is named in the FIR just because he is an associate of Raja Qaiser Ali and prima facie there appears to be no evidence to show that he was connected with the loaned vehicle which aspect of the case requires further investigation.

5. Under these circumstances, I find that the applicant has made out a case of pre-arrest bail which is granted to him on the same terms and conditions as earlier granted by this Court.

6. The 15<sup>th</sup> Judicial Magistrate (East) Karachi is directed to decide the case on merits expeditiously. Copy of this order shall be sent to 15<sup>th</sup> Judicial Magistrate (East) Karachi for compliance.

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

JUDGE