

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI
Crl. Bail Appl. No.1508 of 2024.

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

16.10.2024.

M/s. Imran Hussain Qadri and Malik Ayaz Ahmed Khan,
Advocates along with Applicant
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General Sindh.
Mr. Amir Hussain, Counsel for the K.E./Complainant.

Mohammad Karim Khan Agha, J:- Applicant Yousuf Bhatti was booked in FIR No.85/2024 under Section 462-J Electricity Act registered at PS Mehmoodabad, Karachi. He applied for pre arrest bail before the Court of Additional Sessions Judge-III (South) Karachi which was declined vide order dated 30.03.2024. Hence the applicant approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that on 13.03.2024 complainant was busy in checking meters with technical team and when reached at the meter No.AL-944061 which is in the name of Yaqoob Bhatti who is father of the applicant sent him a notice to pay Rs.20-lacs on account of using the electricity through illegal connection/kunda, however, he failed to pay the same. Hence the aforesaid FIR was lodged against the present applicant.

3. I have heard learned counsel for the applicant, learned counsel for the K-electric and Addl. Prosecutor General Sindh, who opposed the grant of bail.

4. The offence for which the applicant has been charged carries maximum sentence 02 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 for the applicant charge is about to frame as such the applicant is no longer required for investigation.

5. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier on 10.07.2024 to the applicant **Yousuf Bhatti** 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. Learned trial Court shall decide trial expeditiously and 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 Additional Sessions Judge (South) Karachi for compliance.

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

JUDGE

MAK/PS