

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

**Crl. Bail Appl. No.1561 of 2024.**

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Date

Order with signature of Judges

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For hearing of Bail Application.

**25.09.2024.**

Syed Imtiaz Ali Shah, Advocate along with Applicant  
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General  
Mr. Naseer Ahmed Khan, Advocate for the complainant.

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**Mohammad Karim Khan Agha, J:-** Applicant Owais Hussain was booked in FIR No.2282/2022 under Section 489-F/420 PPC registered at PS KIA, Karachi. He applied for pre arrest bail before Court of XIIth Additional Sessions Judge (East) Karachi which was declined vide order dated 31.05.2024. Hence the applicant approached this Court for pre arrest bail.

2. Brief facts of the case as per FIR are that the applicant took loan from the complainant and when the complainant demanded to repay the same, applicant issued a cheque of Rs.19,00,000/- which when presented before concerned bank bounced. Hence the aforesaid FIR was lodged against the present applicant.

3. I have heard learned counsel for the applicant, learned Addl. Prosecutor General Sindh and learned counsel for the complainant.

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. Challan has been submitted as such the applicant is no longer required for further investigation. The amount involved is relatively minor being rupees 19-lacs.

5. Based on the above discussion I hereby confirm the pre-arrest bail granted earlier on 15.07.2024 to the applicant **Owais Hussain** 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 within 03 months of the date of this order 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 concerned trial Court for compliance.

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

**JUDGE**

**MAK/PS**