

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appl. No.2861 of 2023

Date

Order with signature of Judges

For hearing of main case.

12.03.2024.

Mr. Khawaja Naveed Ahmed, advocate for the applicant.
Mr. Abrar Ali Khichi, Addl. Prosecutor General Sindh.
Mr. Abdul Khaliq Pahore, Advocate for Complainant.

Applicant Muhammad Sufyan is facing trial before the trial Court in respect of Crime No.317 of 2023 u/s.406/420/34 PPC registered at PS Gizri, Karachi. He applied for post arrest bail which was declined by the VIIth Additional Sessions Judge (South) Karachi vide order dated 23.11.2023. Hence he has approached this Court for post-arrest bail.

2. Brief facts of the case are that the complainant saw an advertisement on Pak Wheels for sale of Land Cruiser and expressed interest to purchase the same from one Haris where Naeem Akhtar and Sufiyan were present and showed him Land Cruiser. Complainant paid in total Rs.1,90,00,000/- (One Crore Ninety Lacs) in respect of Land Cruiser. When the complainant verified the documents of the aforesaid vehicle it transpired that the applicant had given fake/forged documents of the Land Cruiser. It is alleged that the applicant is the part of the aforesaid scam. Hence the aforesaid FIR was lodged.

3. I have heard the learned counsel for the parties and perused the record.

4. The offence which the applicant is committed carries maximum sentence of 07 years imprisonment and in such like cases the general rule is that bail should be granted unless exceptional circumstance exists which justify the refusal of bail. In this case no exceptional circumstance exists. The applicant has already been in jail for the last four months. The case also revolves around documentary evidence as such there is no chance for the applicant to tamper with the evidence. The applicant is also no longer required for investigation.

5. Based on the above discussion, applicant **Muhammad Sufyan s/o Muhammad Tariq Baig** is hereby granted post arrest bail subject to furnishing solvent surety in the sum of Rs.10,00,000/- (Rupees Ten Lacs) and P.R. bond in the like amount to the satisfaction of the trial Court.

6. This order is based only on a tentative assessment of the evidence and the learned trial Court shall proceed and decide the case on merits expeditiously in accordance with law. 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