IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No. 3348 of 2026

Applicant	:	Syed Faizan Ali S/o. Syed Ashraf Through M/s. Samiullah Soomro & Ahteshamullah Khan, Advocates
Respondent	:	The State Through Mr. Sharafuddin Kanhar, A.P.G Sindh assisted by Syed Rashid Rizvi advocate for the complainant a/w complainant Muhammad Saleem son of Haji Muhammad Kamil .
Date of hearing	:	19.10.2026.
Date of order	:	19.10.2026.

O R D E R

***Jan Ali Junejo*, J.**— Applicant Syed Faizan Ali son of Syed Ashraf Ali seeks post-arrest bail in a case bearing Crime No. 461/2026, for offence under section 489-F PPC of P.S Taimooria. Karachi. Prior to this, the applicant had sought the same relief before the learned Additional Sessions Judge-VI, Karachi Central, which was declined vide order dated 29.09.2026.

2. The facts relevant to the present criminal bail application are as follows:

> "Complainant Muhammad Saleem gave cash amount of Rs.1,40,00,000/- to Syed Faizan Ali for purchase of plot. After some time, the complainant came to know that the applicant bought the plot and then sold the said plot to another person. Upon which the complainant asked from applicant about his investment to which the applicant issued three cheque i.e. cheque No.D410952187 dated 02.07.2026 amounting to Rs.50,00,000/-, 2) D41095186 dated 02.07.2026 amounting to Rs.50,00,000/- and 3) 0000005926 dated: 30.05.2026 amounting to Rs.10,00,000/-. However, upon presentation, the said cheque were dishonoured. Despite repeated demands, the applicant allegedly failed to make payment, whereafter the instant FIR was lodged".

3. Per learned counsel for the applicant, the applicant is innocent and has falsely been implicated in this case; that the alleged incident has taken place on 08.07.2026 whereas FIR was recorded on 10.09.2026 with a delay of about two months for which no plausible explanation has been furnished; that the offence in which the applicant has been charge does not fall within the prohibitory clause and urged that the applicant be extended the concession of bail.

4. Syed Rashid Rizvi advocate files his Vakalatnama on behalf of the complainant, same is taken on record. So also files affidavit of no objection of complainant Muhammad Saleem son of Haji Muhammad Kamil, same is taken on record, wherein he has expressly raised no objection to the applicant being admitted to bail.

5. The A. P. G. Sindh formally opposed the grant of bail.

6. Notably, the complainant has filed an affidavit of no objection to the grant of bail to the applicant, indicating that the parties have amicably settled their dispute. Since the matter has been compromised between the parties, the complainant has expressed no objection to the applicant being admitted to bail. However, the effect and legal consequences of such compromise, particularly in relation to the offence under Section 489-F PPC, shall be determined by the learned trial Court in accordance with law. At this stage, the complainant's no-objection affidavit, coupled with the fact that the alleged offence does not fall within the prohibitory clause of Section 497 Cr.P.C., constitutes a relevant circumstance to be considered while deciding the applicant's plea for bail.

7. In light of the above circumstances and keeping in view the principles laid down under Section 497(2) Cr.P.C., the applicant has succeeded in making out a case of further inquiry. Accordingly, the applicant is admitted to post-arrest bail upon furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Lac only) and a PR Bond in the like amount to the satisfaction of the learned trial court.

8. Before parting, it is observed that the findings recorded hereinabove are purely tentative in nature and shall not prejudice the case of either party during the course of trial. The trial Court shall evaluate the evidence independently and uninfluenced by any observation made in this order.

9. The applicant is directed to ensure regular attendance before the trial Court and shall not, in any manner, attempt to influence or interfere with the prosecution witnesses. Any violation of these conditions may entail cancellation of bail in accordance with law.

J U D G E