

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
Cr. Bail Appln No.431/2014

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DATE                      ORDER WITH SIGNATURE(S) OF JUDGE(S)  
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For hearing \_\_\_\_\_

03.6.2015

Mr. Zulfiqar Ali Abbasi, Advocate for Applicant.  
Mr. Zafar Ahmed Khan, D.P.G.

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This bail application has been moved on behalf of the Applicant / accused Muhammad Faizan son of Muhammad Ramzan, in Crime No.119/2014, registered at P.S. Soldier Bazar, Karachi under section 489-F PPC.

Brief facts of the case as disclosed in FIR are that the complainant is doing business of chemical, on 12.10.2013, he gave chemical to accused/applicant for an amount of Rs.31,80,000/- and the applicant / accused gave him a cheque bearing No.2973740 which the complainant deposited in his account, but the same was dishonored, hence the case was registered at P.S Soldier Bazar under Section 489-F PPC. Learned counsel has relied on the case of Zaheer-ud-Din Babar ..Vs.. The State and another (**K.L.R 2010 Criminal cases 182**) & Syed Qamar Alam ..Vs.. The State (**2014 YLR 497**).

Bail application was moved on behalf of the applicant/accused before learned V-Additional Sessions Judge, Karachi East, but the same was rejected by order dated 11.03.2015.

Learned DPG has strongly opposed the grant of bail to the applicant / accused.

The narration of the facts indicates that there has been some business relationship between the parties, the complainant and the accused. Offence under Section 489-F is punishable only by three years and does not fall within the prohibitory clause of Section 497 Cr.P.C.. Allegations of threatening the complainant

for life is not attributed to the applicant. Therefore, keeping in view facts and circumstances of the case, *prima facie*, case against applicant / accused requires further inquiry as contemplated under subsection (2) of Section 497 Cr.P.C. Applicant/accused Muhammad Faizan s/o Muhammad Ramzan is admitted to bail, subject to his furnishing solvent surety in the sum of Rs.15,00,000/- (Rupees Fifteen Lacs only), and P.R bond in the like amount to the satisfaction of trial Court.

Needless, to mention here that the observations made hereinabove are tentative in nature and would not influence trial Court while deciding the case of the applicant/accused.

JUDGE

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