

ORDER SHEET
**IN THE HIGH COURT OF SINDH, CIRCUIT
COURT, HYDERABAD.**

Cr. Bail A. No.S-441 of 2015.

Date of hearing & decision: 14-09-2015.

Mr. Amjad Ali Sahito, Advocate files Vakalatnama on behalf of the applicant.

Syed Meeral Shah, D.P.G.

NAZAR AKBAR, J: - Through the instant application, applicant Ghulam Farooque Abbasi seeks post-arrest bail in Crime No.45 of 2015, registered with Police Station Cantonment Hyderabad, under sections 465, 466, 469, 471, 500, 182 PPC.

2. Briefly, the facts of the prosecution case are that, complainant Nadeem Nawaz, Establishment Clerk of the Court of District & Sessions Judge, Hyderabad, lodged instant F.I.R. against the applicant alleging that he has cheated and prepared forged stamp paper, caused damages to the Court reputation and used forged document by leveling false allegations in order to disrepute the Court reputation.

3. Learned counsel for the applicant contended that there is no reasonable ground to believe that the applicant has committed the alleged offence; the applicant is innocent and has been falsely implicated in the instant case; there is delay of 04 months in lodging the F.I.R; the prosecution story is false, fabricated and concocted and highly unbelievable and without any independent or corroborative piece of evidence; that the case of the applicant requires further inquiry.

4. Despite the fact that under the directions of Sindh Bar Council to observe strike, the counsel for the applicant appeared and argued the case whereas the learned D.P.G. has no objection to the grant of bail application.

5. Be that as it may, even on merits the delay in lodging of F.I.R. i.e. 04 years is enough to grant bail to the applicant. The other ground for grant of bail is that the allegation of forgery which has been reported after a delay of 04 years carries punishment of 03 years, and the F.I.R. has been lodged after 04 years, which makes the case of the applicant of further inquiry as envisaged under section 497(2) Cr.P.C.

6. In view of above, the applicant is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.200,000/- (two hundred thousand) and PR Bond in the like amount, to the satisfaction of the trial Court.

7. The findings made hereinabove are tentative in nature and the trial Court shall not be influenced upon by any of the same while deciding the main case on merits.

JUDGE

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