

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD. **JUDICIAL DEPARTMENT.**

CM No.152/2020

in

Crl. Misc. No.752/B/2020

Adil Ahmed

Versus

The State.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	24.06.2020.	Syed Asad Abbas Kazmi, Advocate for applicant. Mr. Hasnain Haider Thaheem, State Counsel.

Through this CM, applicant has prayed for reduction of surety amount of bail granting order dated 17.06.2020, passed by this Court in Crl. Misc. No. 752/B/2020 and has also prayed for submission of surety amount in cash instead of bail bonds.

2. Learned counsel for the applicant contends that applicant Adil Ahmed was granted post arrest bail in case FIR No.229, dated 04.05.2020, U/S 9-B CNSA, 1997, P.S. Industrial Area, Islamabad vide order dated 17.06.2020, passed in Crl. Misc. No.752/B/2020, whereby, applicant was directed to furnish bail bonds in sum of Rs.1,00,000/- (Rupees One Hundred Thousand only) with one surety in the like amount to the satisfaction of learned Trial Court; that applicant has no financial status to arrange such heavy surety and despite grant of bail vide order dated 17.06.2020, he could not arrange the bail bonds and is incarcerated in jail. Learned counsel for the applicant has relied upon

cases reported as PLD 1991 Karachi 353 (Abdul Qadir and another Vs. The State) and 1993 P.Cr.L.J 483 (Muhammad Shafiq Shah and 2 others Vs. The State).

3. Learned State Counsel has raised no objection on the acceptance of instant CM.

4. Arguments heard, record perused.

5. It is settled law that while granting bail to an accused, he is extended the discretionary relief subject to furnishing of bail bonds and the very objective of compelling the accused to furnish bail bonds is to ensure his attendance before the Court, however, order of furnishing of bail bonds should neither be punitive in nature nor the same should be of such huge amount so that the accused remains deprived from his ultimate right of liberty.

6. In the instant matter, as learned State Counsel has already consented for acceptance of instant petition coupled with the fact that petitioner is neither hardened nor desperate criminal, therefore, the instant petition deserves acceptance. Resultantly the same is accepted and order dated 17.06.2020, passed in Crl. Misc. No.752/B/2020 is modified and petitioner is directed to deposit cash surety in sum of Rs.50,000/- (Rupees Fifty Thousand only) with the learned trial Court.

(FIAZ AHMAD ANJUM JANDRAN)
JUDGE

(MOHSIN AKHTAR KAYANI)
JUDGE