

**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

Crl. Misc. No.588-B/2019

Arshad Majeed Khan

**Versus**

The State and another

S. No. of order / proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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07.10.2019

Mr. Khurram Ibrahim Baig, Advocate for the petitioner.

Malik Awais Haider and Mr. Sadaqat Ali Jahangir, learned State Counsel with Asim, A.S.I.

Ch. Muhammad Javed Gujjar, Advocate for respondent No.2/complainant.

Through the instant criminal miscellaneous petition, the petitioner, Arshad Majeed Khan S/o Abdul Majeed Khan, seeks his bail after arrest in case F.I.R. No.365/2019, dated 21.08.2019, registered under Section 489-F of the Pakistan Penal Code, 1860 ("P.P.C.") at Police Station Kohsar, Islamabad.

2. Vide order dated 19.09.2019, the petitioner's post-arrest bail petition was dismissed by the Court of the learned Additional Sessions Judge, Islamabad. Earlier, vide order dated 06.09.2019, the petitioner's post-arrest bail petition was dismissed by the Court of learned Judicial Magistrate Section-30 (West), Islamabad.

3. The allegation against the petitioner is that he took a loan for an amount of Rs.10,000,000/- (Rupees One Crore) from the complainant and in this regard executed an agreement/undertaking dated 03.08.2018. In the said agreement/undertaking, the petitioner agreed to return the said amount in addition to Rs.1 million within a period of four

months. The petitioner also issued two cheques dated 06.12.2018 in the complainant's favour. The said cheques were dishonoured on presentation. This caused complainant to lodge the above-mentioned F.I.R. against the petitioner.

4. During the course of the arguments, learned counsel for the petitioner submitted that the petitioner would immediately pay Rs.30,00,000/- to the complainant and the remaining amount of Rs.70,00,000/- would be paid within a period of three month i.e., by 04.01.2020. He further submitted that the petitioner may be granted conditional bail on the payment of Rs.30,00,000/- so that he is able to attend his daughter's wedding in Dubai.

5. Learned counsel for the complainant did not object to the terms on which the petitioner had sought the grant of post-arrest bail.

6. Today, the deposit receipt of Rs.30,00,000/- in the complainant's bank account was produced by the learned counsel for the petitioner. Learned counsel the petitioner submitted that the petitioner stands by his undertaking to pay the remaining amount within three months failing which the bail granting order may be recalled.

7. In view of the above, the instant post-arrest bail petition is allowed subject to the condition that the petitioner would pay the remaining amount of Rs.70,00,000/- by 04.01.2020. The petitioner is admitted to post arrest bail subject to the furnishing of Rs.50,000/- with one surety in the like amount

to the satisfaction of the learned Trial Court. The grant of bail is also subject to the condition that the petitioner shall appear on each and every date of hearing before the learned Trial Court unless exempted by the learned Trial Court. In case the petitioner either fails to pay the remaining amount of Rs.70,00,000/- by 04.01.2020 or appear before the learned Trial Court on any date of hearing, the bail shall automatically stand cancelled.

**(MIANGUL HASSAN AURANGZEB)  
JUDGE**

Ahtesham\*