

IN THE COURT OF DISTRICT & SESSION JUDGE,
(EAST) AT KARACHI.

Cr. Petition No. / 2023

Mr.WA S/O. Mr.LZ,
, Karachi Petitioner/Applicant

VERSUS

The State through
Karachi

SSP Complaint Cell
Karachi Respondents

Mr MR S/O.
Mr. Khan Muhammad, Muslim, Adult
Karachi Proposed Accused

APPLICATION U/S 22-A & 22-B Cr.P.C.

The petitioner above-named most respectfully begs
to submit as under: -

1. That , the is an edified, educated, respectable and law abiding citizen of Islamic Republic of Pakistan and is living at the above said address along with his family and further engaged in lawful business at below mentioned shop as such enjoys good reputation among business community as well as general public.
2. That the proposed accused is the sole and absolute Owner of Shop bearing, on ground floor, in the building k, Karachi, equipped with all necessary

fittings and fixtures hereinafter referred to PREMISES.

3. That the applicant approached the proposed accused to let out the above said premises as such both the parties agreed upon to let out the same vide agreement of Tenancy dated 2014 on a monthly rent of Rs. Rs.50,000/- (Rupees Fifty Thousand Only) which shall be paid by the applicant to the proposed accused, month to month in advance on or before 5th day of each English Calendar month positively and further the applicant also paid an amount of Rs.3,00,000/- (Rupees Three Lac Only) being the Security Deposit. The said tenancy was for a term of three years and the same was extendable by mutual consent of both the parties and the same was enhanced from time to time and at present the applicant is paid rent at the rate of Rs._____ per month.

(Copies of Tenancy Agreement and few rent receipts are filed herewith and marked as annexure A/1 to A/)

4. That , it is averred that admittedly the applicant has not defaulted in payment of monthly rent and has been paying the rent regularly. It is clarified that having a friendly relation with the proposed accused, the applicant is paying rent and no receipt is being issued, which is an undisputed fact.

5. That , due to the well skilled in his profession , the applicant has earned good name among the business community and locality and earning his livelihood for his family members and is paying the rent regularly to the proposed accused in respect of above said rented premises and no rent is outstanding against the applicant and he has never defaulted in payment of monthly rent to the proposed accused.
6. That when the applicant took the shop on rent, it was in a dilapidated condition. The applicant spent three years like that. In 2017, when the applicant signed the contract again, he signed a new contract with the owner / proposed accused and asked him to do the renovation of the shop. The proposed accused of the shop told the applicant that he don't have enough money to do the renovation of this shop, so if the applicant do the renovation of this shop, the proposed accused would make a 10-year contract with the applicant and would not vacate the shop for 10 years. Admitting this, the applicant spent 20 to 25 lakh rupees on the occasion. After that the lockdown came and the applicant had to close the shop but still the applicant was paying the monthly rent as per the contract along with the annual increase. Due to the lockdown, the applicant became a debtor of 15 to 20

lakhs and the applicant is demanding rent which is illegal according to the contract.

7. That according to the contract the rent was increased by 10% every year but the proposed accused tried to demand this from the applicant illegally with increased rent. It was what the applicant had to give the above amount to the applicant for which he refused, on which the accused person started threatening the applicant through various unknown persons. After that the applicant got a call from an unknown number on 2023 around 04:30 and told the applicant to come to police station, there is a complaint filed against the applicant, on which the applicant immediately went to the police station. The number from which the applicant received the call is. When the applicant reached the police station, the officer sitting there told the applicant that MR has lodged a complaint against the applicant for illegal occupation of his shop and payment of 6 months' rent. In response, the applicant showed the SHO the rent receipt dated 2023 which he had received from the landlord by paying the monthly rent and told to the SHO sir that he had paid the monthly rent for January 2023 and all the utility bills too, in spite of answering the SHO sir and NV Sub-Inspector duly kept the applicant in

the police station for 9 hours and continuously NV Sub-Inspector said that He kept saying that proposed accused has writing he should sign it. At 3 o'clock in the night, they released the applicant on personal bail and said that he should have to face dire consequences this, if the applicant don't comply, they will file an FIR against the applicant and sent him to the jail.

8. That the applicant being lawful tenant of the above shit and has been paying rent regularly and has been carrying on business over the said shop without any interruption from any coroner but the proposed accused has bent upon to harass and blackmail the applicant and started threatening the applicant for illegal eviction from the said shop without any lawful authority. The applicant has time and again requested him to refrain from such illegal and unlawful acts, but he has not refrained from such illegal and unlawful acts.
9. That after receiving the above said threats, the the applicant / petitioner and his family members are in serious apprehension that they would harm them and would occupy the said shop with the intention to usurp the same and their lives are in serious dangers on the hands of the said persons along with other gunda elements / their henchmen. It is further

submitted that the applicant has been restrained from doing his business due to which he has been suffering from huge losses due to loss of business last one month.

10. That being constrained the petitioner personally appeared before the respondent and moved application / complainant against the above-named culprit persons and requested to take legal action against them and to provide legal protection from their illegal and unlawful acts but still no action took place, and the duty officer received the complaint of the petitioner. It is further submitted that the petitioner has also received calls from the concerned police action and they have approached the SHO and she has great apprehension that they would succeed in occupying the said shop. It is further submitted that the petitioner has also sent the copy of the said application to the respondent No.2.

(Photocopies of the Applications along with receipts are attached and marked as annexure A/ to A/ .)

11. That by not taking any action against the accused above-named, the respondent has been encouraging him and due to his professional misconduct, the lives of several people are in danger.
12. That the petitioner being a person of soft, civilized and law-abiding nature & having faith on supremacy

of law, remained under the hope that by the passage of time, the respondent will realize his responsibilities for taking action against the accused person and to provide protection but the said hopes never came into reality.

3. That the contents of the application (Annexure 'A') discloses Cognizable offence and in spite of cognizable offence the respondent failed to take any legal action against the above accused persons, hence being aggrieved by the respondent's conduct of neglecting, failure in performance of his duties and refusal to lodge FIR against the accused above-named, the petitioner has been left with no option except to approach to this Hon'ble Court for remedy sought in complaint / application i.e. annexure 'A', hence this application.

PRAYER

It is therefore prayed that the behalf petitioner that this Hon'ble Court may be pleased: -

(a) To direct the respondent to record the statement 151 Cr.P.C and lodge the FIR and take the necessary against the above-named culprit person immediately and refrain them to illegally and unlawfully occupying the said shop of the petitioner as he is doing lawful business in the said shop since long and they have no authority to force him to vacate the same.

b) To direct the respondent to provide legal protection of his life as well as his family members from illegal clutches of the said proposed accused and his henchmen who are continuously harassing, blackmailing and threatening the petitioner to face dire consequences.

c). Any other or further relief(s) which this Hon'ble Court may deem proper under these circumstances may please be granted.

Karachi:
Dated:

PETITIONER

ADVOCATE FOR THE PETITIONER

For Immediate Use in Court
IN THE COURT OF DISTRICT & SESSION JUDGE,
(EAST) AT KARACHI.

Cr. Petition No. / 2023

Mr.WA Petitioner/Applicant

VERSUS

The State through Respondents
Station House Officer

Mr MR Proposed Accused

AFFIDAVIT

I,WA S/O. Mr.LZ, , Muslim, Adult, resident of
Karachi, do hereby state on Oath as under: -

1. That I am deponent of this affidavit as well as
petitioner in the above titled matter, as such am fully
conversant with the facts stated herein.
2. That I say that the accompanying application U/s 22-
A & B Cr.P.C. has been drafted and filed under my specific
instructions, contents whereof are true and correct to the
best of my knowledge, and the same may please be
treated as part and parcel of this affidavit for the sake of
brevity.
3. That until and unless the accompanying application
is granted, I shall suffer irreparable loss and will be
seriously prejudiced.

4. That whatever stated above is true and correct to the best of knowledge belief to be true.

Karachi:

Dated:

Deponent

**IN THE COURT OF DISTRICT & SESSIONS JUDGE AT
KARACHI EAST**

Bail Appl. No. / 2023

Mst SH Widow of
SSA, Muslim, adult,
resident of Flat No. 17/4 Block-B,
Gulshan-e-Noor, Sector No.22,
KDA Scheme No.33, SUPARCO Road,
Karachi

Applicant / Accused

VERSUS

The State

Respondent

BAIL APPLICATION U/S 498 CR.PC.

It is respectfully prayed on behalf of the abovenamed applicant / accused that this Hon'ble Court may graciously be pleased to grant her bail before arrest, on the consideration of following facts and grounds, amongst others those will argued with the leave of the Court at the time of final hearing of this bail application:

FACTS

Brief facts of the prosecution story orally narrated by the complainant namely SUD Karachi are that 'I am residing at above mentioned address in Column No.2, and doing business of ladies Shoes and after making shoes used to sell them in different parts and markets. That our factory has supplied the materials to Mst SH wife of SSA during last four years in different times after taking from different places and total amount against company become Rs.55 lacs. , out of which they paid Rs.5 lacs, and against remaining amount of Rs.50 lacs,

they issued a cheque No, dated 2023, of her company abc Account at Bank 3 and when I presented the said cheque in my bank account at Bank on 08-2023, wherein Bank2 and Bank1 told that there is no amount in the said account and the said cheque is bounced. The said cheque was given by Mst SH wife of Sajjad. , now I have come to report against her against bounce cheque that my claim is against Mst SH wife of SSA for giving bounce cheque, against which I have given application. Report is seemed to be correct, which was reduced into writing, she tolerated on one pretext or the other, my amount may be retrieved from her. According to the report of the complainant, the offence against the accused abovenamed falls U/s 489-F, hence this bail application on the following grounds:

GROUND

1. That the applicant / accused is law abiding, peaceful and respectable noble citizen of Islamic Republic of Pakistan and she is having good reputation in the business community, therefore she is innocent and falsely implicated by the Complainant with malafide intentions and for fulfillment of his ulterior motives.
2. That the bouncing cheque is not in the name of applicant, therefore no case U/s 489-F PPC made out against the applicant, moreover the said cheque was not issued by the accused/ applicant to the complainant whereas he has misused the said cheque against her to illegally and unlawfully involve her in the above false case.

3. That the complainant himself admitted in the FIR, that the applicant given amount of the outstanding dues / payment, therefore no ingredient of dishonesty occurs, which is essence of Section 48F-F PPC.
4. That there is a un-explained delay of more than 3 months in lodging FIR by the complainant, which creates doubts and case need further inquiry.
5. That applicant returned the entire amount to the complainant, but complainant malafidely and due to ulterior motives just to blackmail and harass the applicant involved him in this false case.
6. That complainant lodge the instant case against the applicant / accused only to damage her reputation into the business community and to make her insult, which is also evident by the fact that the applicant/ accused has already filed an application under section 22-A Cr.P.C. being Cr.Misc. Application No. /2023 which was dismissed, wherein she narrated all the true and correct facts regarding his illegal and unlawful act of harassing, blackmailing and threatening and interfering in smooth running of the business.

(Copies of Application and Order passed thereupon are filed herewith and marked as annexure A/1 to A/)

7. That the accused/ applicant has already filed an application being Cr.Misc. App. No. against the applicant /accused for registration of FIR against the said cheque but the Honorable Court was pleased to dismiss the same as he failed to satisfy the Honorable Court regarding issuance of cheque, **it is pertinent to mention that in the said application he stated that the said cheque was issued by the accused/ applicant against borrowed amount , whereas in instant FIR he has stated that the said cheque was issued against selling of shoes to the applicant /accused,** which contradiction in his statement clearly overt his malafide intentions and ulterior motives, whereas on the contrary the said cheque was never issued by the applicant/ accused to him and the said cheque has been misused by him against her.

(Copies of Application and Order passed thereupon are filed herewith and marked as annexure A/ to A/)

8. That it is humbly submitted that thereafter he after greasing the palm / giving bribery to the police official has succeeded to get register the above FIR against the applicant/accused and the police is continuously raising at her business premises.
9. That soon after the registration of the case, the area police hunting the applicant and in that regarding raiding at the house of applicant as well as houses of his relatives, therefore the applicant is apprehending to be arrested, through the hands of police malafidely and in collusion with the complainant.

10. That if the applicant / accused abovenamed is arrested, she will be humiliated and subjected to be maltreated, which will caused the damages to her reputation status and dignity in the eyes of her friends, colleagues, relatives and general public also.
11. That the applicant is neither hardened criminal nor absconder and permanent resident of Karachi hence there is no probability of the accused of being absconder, or to exercise of commission of crime.
12. That there is no chance of the applicant to temper with the witnesses.
13. That the applicant crave leave to add further grounds at the time of hearing of this pre arrest bail application.
14. That the applicant is ready to furnish the solvent surety for the satisfaction of this Hon'ble Court.

PRAYER

In the light of above facts and grounds it is respectfully prayed that this Hon'ble Court may graciously be pleased to grant bail before arrest to the applicant / accused, in the larger interest of justice.

Karachi:

Dated:

Advocate for the Applicant

**IN THE COURT OF DISTRICT & SESSIONS JUDGE AT
KARACHI EAST**

Bail Appl. No. / 2023

Mst SH

Applicant / Accused

VERSUS

The State

Respondent

AFFIDAVIT

I, Mst SH Widow of SSA, Muslim, adult, resident of Flat No. ,
Karachi, do hereby state on Oath as under:-

1. That I am the applicant in the above matter as such am fully conversant with the facts of the case.
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduce in this affidavit.
3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult the applicant through the hands of the police in collusion with the complainant and there is no bar to grant bail in the alike cases.
4. That I say that due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police is continuously raiding my residence / business places as well as the residence of my relatives and there is imminent apprehension

about my arrest in this false case and police is dancing at the fingers of complainant and if I will be arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.

5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated:

D E P O N E N T

**IN THE COURT OF DISTRICT & SESSION JUDGE, WEST AT
KARACHI**

Cr. B.A. No. / 2023

SH son of SU Muslim, Adult, Presently Confined in Judicial Custody	Applicants/Accused.
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VERSUS

The State	Respondent
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BAIL APPLICATION U/S 497 Cr.P.C.

It is most respectfully prayed on behalf of the applicant / accused abovenamed that interalia on the consideration of following facts and grounds, those / which will be argued at the time of final hearing of this application, this Hon'ble Court may graciously be pleased to enlarge him on bail:-

FACTS.

Brief facts of the prosecution's case as stated by the complainant GH son of AH R/o House Karachi, are as under:-

"I live at above mentioned address and have been working as a supervisor at Bank Head Office for 13 years and am working as a security guard, today on 2023 and I with my security guard Ah son of IfT towards the back walls of the bank, while patrolling, some persons broke the wall of the where house on the right side of the bank while going towards the graveyard holding a white sack were caught at about 0015 hours, these three persons were carrying sack having various types of scraps of AC were recovered from them. Before this,

many thefts were made from the where house of the bank. The three persons have disclosed their name names, 1.UM son of AM, 2. NM son of SF 3. AR, son of RS, now I, along with my partner and the three accused persons who were arrested, have come along with stolen property for legal action. My claim is that legal action should be taken against the arrested three accused for stealing the above things from the where house of bank hence this bail application on the following grounds;

GROUND:

1. That the applicant / accused are quite innocent, he has committed no offence, but has been falsely and malafidely implicated in the above case by the complainant in collusion with the police due to enmity.
2. That the applicant / accused and the complainant are neighbors and admittedly there are some disputes between them and the instant false case is an outcome of those disputes.
3. That admittedly in view of contents of the FIR, the case if any requires further inquiry and under such circumstances the applicant / accused is entitled for concession of bail.
4. That the investigation of the case has been completed, the applicant / accused has been remanded to judicial custody and he is no more required for investigation purposes.
5. That it is a fresh case, proceedings of the case are bound to be protracted, while the applicant / accused is behind the bars,

therefore under such circumstances the applicant / accused prays for concession of bail.

6. That no actual case punishable with death, life imprisonment or ten years imprisonment is disclosed.
7. That there are much more lacunas in the story / case of the prosecution, which make the same very much doubtful, hence the case requires further inquiry within the meaning of sub-section 1 of section 497 Cr.P.C. and under such circumstances the applicant / accused is entitled for the concession of bail.
8. That the applicant / accused is not previously convicted in any offence.
9. That the applicant/accused is very poor person and is only bread earner of his family and keeping him behind the bar for inordinate time will serve no purpose and on the contrary the applicant / accused and his family shall suffer a lot.
10. That grant of bail in such cases is a rule and its refusal is an exception.
11. That the applicant / accused is resident of Karachi and there is not likelihood of his abscondence.
12. That the applicant / accused is ready to furnish solvent surety to the entire satisfaction of this Hon'ble Court.

13. That the applicant / accused is neither hardened desperate or habitual criminal nor involved in any other case and his whole previous record is stainless.
14. That further grounds shall be argued at the time of final hearing of this bail application with the kind permission of this Hon'ble Court.

Karachi:

Advocate for the Applicant / Accused

**IN THE COURT OF CIVIL JUDGE / J.M., SOUTH AT
KARACHI.**

Criminal Bail application No. of 2023

MAD

Son of AH, Muslim, Adult, Resident of
Karachi, presently confined
Judicial Custody

Applicant/Accused

VERSUS

The State

Respondent

BAIL APPLICATION U/S 497.Cr.P.C

It is respectfully prayed on behalf of the applicant / accused abovenamed that this Honorable Court may graciously be pleased to enlarge him on bail on consideration of the following facts and grounds.

FACTS

That the brief facts of the prosecution case as narrated in the FIR are that the complainant verbally stated that I am residing at above given address in column No.2 and doing business of clothes i.e. lunda cloths with my partner Rizwan S/o Rasheed Gul and my Godown and office of rent is situated at Shershah, I and my partner is doing business of clothes since long time and MAD used to order from out of country on our money and my partner MAD is doing business since long time, and Sohail who is the partner of Danish used to clear the containers for us and I.D of import & export is in the name of MAD, given amount in different time through cheque, cash and online transaction to MAD as advance which total comes Rupees 02 Crores 34 Lac. MAD after

receiving our amount not bringing the containers and which containers were arrived he personally sold out the same. On 25- February when we proceeded to accounting with MAD in the presence of witnesses on which they prepared a written agreement for return of our amount and given 09 cheques and further handed over some documents of property as surety. One friend of MAD took the surety of his partner Sohail in respect of clearing the amount. I deposited three cheques from said 09 cheques given by MAD on above named dates which were bounced vide cheque No.(1) 47560329, (2) 47560328, and (3) 47560330, amounting to Rupees 25 Lac each, hence my claim is against (1) MAD S/o AH and his partner (2) SA S/o Not Known, (4) MM S/o MP, (5) SK S/o AK for making fraud with and issuing fake cheques, legal action may be taken.

(Photocopy of FIR is attached herewith and marked as Annexure A/)

According to the facts of the complainant, the offense against the accused falls under U/s 489-F PPC.

Previously the applicant above named filed first bail application before XIITH civil Judge & Judicial Magistrate Karachi south vide Criminal Case No. Nil of 2022, which was dismissed vide order dated 2022, thereafter the applicant above named filed second bail before IInd ADJ South at Karachi, which was also dismissed vide order dated 2023, hence this third bail application on the following grounds: -

GROUND

1. That the applicant is absolutely innocent and has been falsely implicated in this case.
2. That the accused and the complainant along with other are co-partner in the business and the accused being importer used to import his material / clothing etc and has been doing business with the complainant since long and he has never defaulted in payment and some materials was stuck due to lockdown and later on the same was cleared by the accused and no amount was outstanding against him as alleged in the FIR.
3. That as per agreement dated 2022, the complainant claimed an amount against the accused / applicant which was given to him in lieu of containers to be released from other countries but the said containers could not be released , the detail of the containers is also given in the agreement dated 22. It is further submitted that the complainant himself admitted in the agreement that the said **cheques were not issued against the liabilities but the same were issued as surety as admitted by the complainant and upon release of containers the amount would be adjusted and the cheques were returned.**

(Copy of the agreement is attached herewith and marked as as annexure C)

4. That this Honorable Court has no power and authority to call the report of the said containers and further the payment is to be

adjusted against the release of the containers as clearly mentioned in the above agreement for which the applicant had been trying and unless he is not released on bail the said process could not be completed.

5. That the said cheques were not issued against liabilities but the same were issued as surety as per admission of the complainant in written agreement and affidavit of acknowledgement of liabilities. It is further submitted that a Bond for acknowledgment of responsibilities were executed between the parties, wherein the same contents were reproduced along with others. As per contents of para 5 of the said bond the complainant is himself not sure about the liabilities / amount mentioned in the said bond. Further he has also failed to bring on record the proof of said payments to the accused/ applicant.
6. That the accused/ applicant has handed over two plots of Society , which was also sold out by the complainant but could not give the details of amounts, further the accused / applicant is ignorant of English Language , and the same narration has been mentioned upon the said bond dated 2022.
7. That it is further mentioned in para 9 of said bond that the accused/ applicant after release from bail he would work with complainant as his agent and will supply the containers to him after deducting his percentage , which clearly shows that the

complainant is still ready to work with him and he has filed this false case against him just to pressurize, blackmail the applicant/accused to work with him, which is illegal and unlawful.

8. That in para 11 of the bond, it is mentioned that it is agreed that if he betrayed or not fulfill any of the above mentioned conditions in this Bond, the complainant reserved legal right to move against me for cancellation of his bail , before the competent court of law, which contents also shows malice of the complainant to entangled him in false case and to use him for his own cause.

9. That the above said bond was got signed by the accused/ applicant when he was in jail and has included the said terms and conditions for his own benefits and further no liabilities of cheques has been mentioned that the said cheques has been issued against any liabilities and he can encashed them , rather against liabilities in para 6 of the bond, it has clearly been mentioned as under: -

“That after release on bail, I am liable to inquire about the containers on the way to shipment in Karachi from different shippers. I will also provide the details of the containers for the complainant when we will sit for the settlement of the amount on 2022, that whatever the numbers of containers I found, are liable to be cleared and handed over to the complainant. It is also pertinent to mention that the amount for purchasing, clearing and duty has already been paid to

me and such amount would be deducted from the principle due amount when I deliver the containers to the complainant.”

10. That from the perusal of above contents it can clearly be assumed that no case for bounce of cheques is made out against the accused/ applicant as the said cheques have never been issued against liabilities rather the same were issued as surety as per complainant and the dispute between the parties is regarding the release of containers for which this Honorable Court has no power / or authority to inquire about the said containers in this case and the case against the applicant/ accused is based on false grounds and as such he is entitled for concession of bail and in case he is kept behind the bar will serve no purpose and furthermore delay would be occurred in releasing the above containers from the ports as admitted by the accused/ applicant as well as by the complainant.

11. That the applicant/accused was kidnapped by the complainant and the above said cheques were obtained through force and agreement was also signed under duress, pressure and in this regard, the accused/ applicant lodged FIR against the complainant.

(Copy of FIR is filed herewith and marked as annexure E)

12. That challan has already been submitted and as per the contents of the challan no case is made out against the accused / applicant

and as such the accused /applicant is entitled for concession of bail and keeping him behind the bar shall serve no purpose as he is the only bread earner of the family and they are facing hardship due to his arrest.

13. That previously the accused / applicant was granted pre-arrest bail in the above case / FIR vide order dated 2023 and after obtaining the bail, / joining the trial he was appearing before this Honorable Court in the above case regularly.
14. That due to settlement of dispute between the parties as mentioned above and after clearing of containers of the complainant party which were stuck at port the matter was amicably resolved and the complainant assured the accused / applicant that he may be discharged from the above case as such he on their assurance did not pursue the above case and matter has become dormant and later the accused/ applicant has been arrested in the above case.
15. That the complainant has committed cheating and fraud with the applicant/accused and despite clear assurance of withdrawal of the above case, he failed to do so and booked the accused /applicant in the above case even after settlement of accounts between the accused/ applicant and the complainant.
16. That the applicant / accused already settled the matter by releasing the containers of the complainant and has settled the

accounts of complainant and the cheques in question given by the accused as security deposit, which complainant due to malafide intentions and ulterior motives used in the instant case, as no such amount payable by the applicant / accused to the complainant.

17. That the cheques in question are very old, more than one year and a month but the complainant lodged the FIR only to disgrace and humiliate the accused in the eyes of his colleagues, relatives and neighbors in order to damage the reputation of the accused.
18. That the disputed amount had already been paid / settled by the accused to the complainant but now the complainant became dishonest and wants to extort money on the basis of above said cheques.
19. That there is inordinate delay in lodging FIR near about more than one but complainant failed to explain such delay, which creates doubts and case need further inquiry.
20. That the alleged offense does not fall within the prohibitory clause of 497(1) of Cr. P.C.
21. That dishonesty is the main ingredient of Section 489-F PPC, which is not proved by the complainant in his case.
22. That the applicant/accused has already been remanded to judicial custody and he is no more required for further investigation.

23. That the case of the prosecution against the applicant/accused is false, fabricated, doubtful and one of further inquiry.
24. That the applicant is neither previous convict nor disparate and hardened, dangerous criminal but has been detained with the criminals, which shall ruin the behavior and future of the applicant/accused.
25. That the applicant/accused is a permanent resident of Karachi and there is no likelihood of his abscondence or tampering with the prosecution witness.
26. That the applicant is ready to furnish solvent surety to the entire satisfaction of this Honorable Court, if he is released on bail.
27. That any other grounds will be urged raised at the time of hearing of this bail application with the kind permission of this Honorable court.

PRAYER

It is therefore prayed on behalf of the applicant/ accused above named that this Honorable Court may graciously be pleased to enlarge him on bail on consideration of facts and grounds mentioned hereinabove.

KARACHI:

DATE Advocate For The Applicant/Accused

**IN THE COURT OF DISTRICT & SESSION JUDGE, CENTRAL AT
KARACHI.**

Criminal Bail application No. _____ of 2023

AM S/o MK,
Muslim, Adult, Resident of
Karachi, presently confined
in Central Prison -----Applicant/Accused

VERSUS

The State-----Respondent

BAIL APPLICATION U/S 497.Cr.P.C

Being aggrieved and dissatisfied with the impugned order dated 2023, passed by the VI-th Judicial Magistrate Central at Karachi, wherein rejected the bail application of the applicant / accused abovenamed, it is respectfully prayed on behalf of the applicant / accused abovenamed that this Honorable Court may graciously be pleased to enlarge him on bail on consideration of the following facts and grounds.

FACTS

Brief facts of the prosecution case are that complainant UZ Khan son of MUK lodged the FIR on 2023 against the accused AM son of MK and stated therein that orally stated by the complainant, I am residing at the above cited address and used to supply cement under the name of Cement. I used to supply cement to M/s (1) SH son of MI, (2) AM, (3) AR. The said persons were in debt of my amount against the said amount, (1) Mr SH was in debt of Rupees one lac fifty thousand and he gave me one Cheque No., for an amount of Rupees Sixty Four thousand only of Bank. (2) Mr AM against Rs.

Seven lacs and fifty thousand, he gave me a cheque No. for an amount of Rs. Six lacs and fifty thousand only of Bank Askari. (3) AR was in debt of Rs. twenty lacs and thirty four thousand, who gave me a cheque No. for an amount of Rs. One lac and twenty five thousand of Bank , I have deposited all the above three cheques in my two bank accounts (1) In Account No deposited the cheque of AM , whereas remaining two cheques of SH and AR in UZ Account No. which were bounced on 2023, 2023 due to insufficient fund in account , thereafter I sent legal notice through my counsel but the above said persons threatened me for dire consequences , therefore I have come to report. My claim is against the above said three persons for bouncing of above cheques, action may be taken.

That prior to this a bail application was moved before the trial Court, but the learned Judge did not use his judicial mind while passing order and reject the bail application on the Applicant Accused, hence this bail application on the following fresh grounds: -

GROUND

1. That the applicant / accused is innocent and has been falsely implicated in this case.
2. That the accused / applicant and the complainant were busy in joint business and the accused/ applicant has already cleared all the outstanding amount claimed by the complainant, whereas the said cheque was only issued as a surety to continue the business relations with the complainant. The applicant/ accused is possession of all valid proof for payment of outstanding amount and the same would be produced during the trial proceedings.
3. That there is an inordinate delay in lodging FIR more than 15 days, but the complainant failed to explain such delay, which creates doubts and case need further inquiry.
4. That the alleged offence does not fall within the prohibitory clause of 497(1) of Cr. P.C.
5. That the applicant / accused has already been remanded to judicial custody and he is no more required for further investigation.
6. That the case of the prosecution against the applicant/accused is false, fabricated, doubtful and one of further inquiry.
7. That the applicant is neither previous convict nor disparate and hardened, dangerous criminal but has been detained with the

criminals, which shall ruin the behaviour and future of the applicant/accused.

8. That the applicant/accused is permanent resident of Karachi and there is no likelihood of his abscondence or tampering with the prosecution witness.
9. That the applicant is ready to furnish solvent surety to the entire satisfaction of this Honorable Court, if he is released on bail.
10. That any other grounds will be urged raised at the time of hearing of this bail application with the kind permission of this Honorable court.

KARACHI:

DATED :

ADVOCATE FOR THE
APPLICANT/ACCUSED

**IN THE COURT OF DISTRICT AND SESSION JUDGE, CENTRAL
AT KARACHI.**

Cr. Bail Before Arrest Appl. No. / 2023

AL S/o LL
Muslim, Adult, R/o

Karachi

Applicant / Accused

VERSUS

The State -----Respondent.

APPLICATION FOR BAIL BEFORE ARREST
U/S 498 Cr.P.C.

It is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to enlarge him on bail before arrest, on the consideration of following facts and grounds:

FACTS

Brief facts of the case narrated by the complainant are that ASI was busy in the secret room of the officer, and the officer who came, MFD, filed a Order No. of ADJ Central Karachi, and ordered the imposition, after which permission was given by SHO Sir. The above statement was recorded under section 154 of the above, the copy of which is given below by KAN reporting room dated. I, MFD son of MN aged 55 years,, Later on inquiry stated that he has been residing at the above address for 12 years and is related to journalism. , I sold myCar, model 2011, Registration No. to a person named EL son of L LL for Rs.1450000/-. EL promised to pay the amount within one and half month and as a surety he gave me Car, Black for using and also told

me that I need four lakh rupees as loan and will give it to me within a week he took four lakh rupees as loan and after three months from me He back took the car and said that he will give you another car and later he did not give the money which was 18 lakhs and 50 thousand. On my demand, he tolerated on one pretext or the other. After four months, he told renown NKAHSQ, that he gave him 8 lakh rupees and the remaining one million and 50 thousand was left. After a few days, he told me to go to the showroom and give him one lakh rupees to HKU. He will get you a good car. So far, he has not given me the car or my money, which is a total 13 lakhs and twenty thousand Rupees and now he is threatening to kill me. Later, Mr. 1- ADJ, I filed a petition No. In Court. Now I have come with court order and gave my statement that my claim is against AL fraudulently bought my car above number from me and threatened to kill me for paying the money. I hereby declare that all these transactions have taken place at my house. Take legal action against him.

According to the contents of FIR, the offence against the accused falls U/s 406, PPC, hence this bail before arrest application on the following grounds:

GROUND

1. That the applicant is innocent and falsely implicated in this case with malafide intention and ulterior motives, as he did not commit any offence.

2. That neither the name of applicant mentioned in the FIR, nor his specific role has been assigned by the complainant, which creates doubts and case needs further inquiry.
3. That all the allegations against the applicant are false and fabricated and the complainant falsely implicated just for the purpose of blackmailing.
4. That there is inordinate and unexplained huge delay of about 06 years, but complainant failed to give any reason of such delay, which creates doubts, hence case need further inquiry.
5. That according to the contents of FIR the offence U/s 406 PPC cannot be constituted against the applicant.
6. That offence above mentioned does not fall under the prohibitory clause of Section 497 Cr.P.C. and bail in such cases shall be granted as a rule.
7. That due to abovesaid reasons the case is fit for further inquiry and the applicant is entitled for bail before arrest.
8. That the applicant is neither hardened criminal nor absconder and permanent resident of Karachi, hence there is no probability of the accused of being absconder, or to exercise of commission of crime.
9. That the **///aqa** police is raiding at the house of applicant repeatedly in order to arrest him falsely in this case he will

arrested, he will be humiliated, tortured and disgraced by the police and their respect in the society will be lowered.

10. That the involvement of the applicant in this case damage his reputation into the eyes of his relatives and locality.
11. That there is no chance of the applicant to temper with the witnesses.
12. That the applicant craves leave to add further grounds at the time of hearing of this pre arrest bail application.
13. That the applicant is ready to furnish the solvent surety for the satisfaction of this Hon'ble Court.

PRAYER

In the light of above facts and grounds it is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to grant bail before arrest to the applicant, on the consideration of foregoing facts and grounds, in the larger interest of justice.

Karachi:

Dated: **Advocate for the Applicant**
IN THE COURT OF DISTRICT AND SESSION JUDGE, CENTRAL
AT KARACHI.

Cr. Bail Before Arrest Appl. No. / 2023

AL S/o LL Applicant / Accused

VERSUS

The State -----Respondent.

FIR No. 285 / 2022

U/s 406 PPC
Karachi

AFFIDAVIT

I, AL S/o LL, Muslim, Adult, R/o Karachi do hereby state on Oath as under:-

1. That I am the applicant in the above matter as such am fully conversant with the facts of the case.
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same has not been reproduce in this affidavit.
3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult the applicants through the hands of the police in collusion with the complainant and there is no bar to grant bail in the alike cases.
4. That I say that due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police is continuously raiding at our houses and there is imminent apprehension about our arrest in this false case and police is dancing at the fingers of complainant and if we will be arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.

5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: DE P O N E N T

**IN THE COURT OF DISTRICT & SESSION JUDGE WEST AT
KARACHI.**

B.A. No. / 2024

AQ son of MJ,
Muslim, Adult, Presently confined
in Judicial Custody-----Applicant / Accused

VERSUS

The State ----- Respondent

BAIL APPLICATION U/S 497 Cr.P.C.

It is prayed on behalf of the abovenamed applicant / accused
that this Hon'ble Court may be pleased to enlarge the applicant /
accused on bail on the consideration of the following facts and
grounds:-

BRIEF FACTS

Brief facts of the prosecution story narrated by the complainant that I
SI posted at Police Station, Karachi, along with employees PC, PC,
PC , via Mobile Official No., for the purpose of stoppage of Crime were
was busy patrolling in the area, during patrolling, we reached at
address mentioned in column No.2 above, at about 1145 hours, and
one person caring black plastic bags in right hand was found standing
in suspicious condition, who was stopped for the purpose of checking
and was caught with the help of accompanying personnel, who upon
inquiry on his own told his name AQ son of MJ. Who was thoroughly
searched in presence of accompish employees PC, PC by
nominating them witnesses, due to non-cooperation/ refusal by
private witnesses and opened the black shopping bag carried in his

right hand, from which 40 packets of Health injurious Mawa was recovered, which was weighted through digital scale and having weight of 2 KG and 70 grams which was taken into police custody and was sealed at the spot, 5 packets were separately sealed for the purpose to send them for chemical examination. The act of the accused person above named reached under Section 4/8 of Gutka Mawa Act 2019 after understanding, he was arrested as per procedure who was further searched and found Rs.120 cash and after returning to police station, the case against the above said said arrested accused was registered. Investigation shall be carried out by SIO Sahab of instant police station. Copy of FIR shall be distributed as per procedure, hence this bail application on the following grounds:

GROUND

1. That the applicant / accused is quite innocent and falsely implicated in this case due to enmity, though he has no concern in the said offense.
2. That the police was motivated by malice and spit to entangle the accused of the said case when he failed to fulfill the illegal demands of police.
3. That the alleged offence is bailable and the maximum punishment of Section 8 of Gutka Act is not less than one year or fine Rs.2,00,000/- and the same is also bailable, hence the alleged offences does not falls within prohibitory clause of Section 497 Cr.P.C.

4. That the law prescribed that bail is better than Jail hence the accused is entitled for bail, as the offence was earlier bailable.

5. That the complainant falsely implicated the applicant / accused by refusing illegal gratification by him to the complainant.

6. That there is no any reasonable ground in which applicant / accused has committed any offence whatsoever as alleged by the prosecution.

7. That there is no recovery from the possession of applicant / accused and the alleged recovery had been foisted upon the applicant / accused.

8. That the applicant / accused is neither previously convicted nor involved in any dangerous, disparate or hardened criminal activities.

9. That the punishment of the offence is only one year and same falls in the category of minor offences and does not fall within the prohibitory clause of section 497 Cr.P.C.

10. That the accused is permanently residing in Karachi and is a law-abiding citizen of Pakistan as such he would neither abscond nor would tamper with the PWs.

11. That the applicant / accused is ready to furnish solvent surety according to the satisfaction of this Hon'ble Court.

12. That the applicant/accused is labourer and is only the bread earner of his family and in case he is kept behind the bar, his family members shall suffer a lot in such era of high inflation.

13. That the further grounds would be urged at the time of hearing of this bail application with permission of this Hon'ble Court.

PRAYER

It is, therefore respectfully prayed on behalf of the abovenamed accused that this Hon'ble Court may graciously be pleased to enlarge him on bail, on the consideration of foregoing facts and grounds, in the best interest of justice.

Karachi:

Dated: Advocate for the Applicant / Accused

IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI
SOUTH

B.B.A. Appl. No. / 2024

Mr. JK S/o
Mr. KUR,
Muslim, adult, Resident of Zone-4,
West Garden City House No.36,
Street No.3, Bahria Town Islamabad,
holding CNIC No.17201-2151924-9
Presently at Karachi

Applicant / Accused

VERSUS

The State -----Respondent.

FIR No. 43/24
U/s 448/511/504/506-B/
147/148/149/34 PPC
P.S. Darakshan Karachi

BAIL APPLICATION U/S 498 CR.P.C.

It is, respectfully prayed on behalf of the applicant / accused
abovenamed that this Hon'ble Court may be pleased to grant him bail
before arrest, on the consideration of following facts and grounds: -

FACTS

Brief facts of the case are that with reference to Report No. 39,
of this Roznamcha dated 25-01-2024, I SIP Muhammad Suleman
posted at police Station Darakshan , Karachi along with official /
servants PC Roshan Ali 3604, DR/PC Muhammad Waseem 36076 on
Government Mobile Darakshan No.1 SPE 258 after recording
statement under section 154 PPC have come back to police station
and copy of the statement recorded under section 154 PPC is as given
below, that Mr Khawar Hussain son of Muhammad Hussain Shad,
resident of Flat No. B-10, Block 16, Muhallah Yasir Apartment,

Gulshan-e-Iqbal, Karachi, Cell No. 0333-9222310, CNIC No. 42201-6683016-3, upon inquiry stated that I am living at above cited address and doing my private business. My cousin Saeeda Akhtar Ameer Ahmed owned a house i.e. Bangla No. 66, Main Khayaban-e-Shahbaz, Phase-6, DHA, Karachi, which is being looked after by us and our one Chokidar/watchman namely Maskeen son of Sewargi remained at the said Bangla. This house was given to our guests who came from USA on 20-1-2024. Today on 25-01-2024 at about 2300 hours our chowkidar informed us through phone that 25/30 persons equipped with arms came on 3/4 vehicles at about 2200 hours and started threatening the persons present in the house and the chowkidar on the force of arms and are trying to occupy the Bangla, therefore he called on 15 for police help aid, on this information, I Khawar Hussain along with Muhammad Yousuf son of Muhammad Ismail reached at the Bangla and found 25/30 persons present in the Bangla, which were found busy in harassing the family and chowkidar, who were inquired by me that what is mater, upon which JK son of KUR after abusing and threatening me told that this Bangla is owned to us and forced us to leave the house and vacated the same, in the meantime, the police mobile with 3/4 officials reached at the house, out of which one officer told his name SIP Muhammad Suleman, who in our presence asked the names of persons present at the spot who gave their names 01 Jameel Khan son of Khalilur Rehman 02 Muhammad Junaid son of Afrasiab 03 Muhammad Younis son of Muhammad Ali Khan 04 Muhammad Shakeel son of Muhammad Shafi 05 Muhammad Shahzad son of Fakhruddin 06 Abdul Basit son of Muhammad Sharif 07 Faraz Ali son of Habibur Rehman 08 Malik

Dilawar son of Malik Amir Saleem 09 Shehryar son of Noor Khan 10 Azharullah son Allah Dutta 11 Mohammad Ayaz al-Haq son of Mohammad Ismail 12 Ali Hassan son of Mohammad Bashir 13 Umair Sarwar son of Ghulam Sarwar 14 Javad Ali son of Jan Muhammad 15 Jalil Khan son of Khalilur Rahman 16 Ahmad Hussain son of Basaruddin 17 Mohammad Zubair son of Gholam Sarwar, armed with Riffle No. MSW1794, 23 Bore, loaded with Magazine 18 Shakeel Khan son of Khalilur Rehman with pistoal 9MM No. TF674.21A.02325 Load Magazine 19 Syed Shahid Hussain Naqvi son of Syed Kifayat Hussain Armed with pistol 9MM No. 4323 alongwith Loaded Magazine and Riffle 223 No. PCA487 loaded Magazine, whereas 7/8 persons succeeded to escape from the scene whereas name of one of person who escaped from the place of incident was disclosed as Muhammad Tahir son of not known and at the place of incident vehicles in their use (01) No. LE0666 Maker Revo , white colour and (02) BF4033, Maker Parado, of white color were aslo recovered and were taken in police custody, and all the writing work were done by the police officer SIP Muhammad Suleman in our present and we all subscribed our signatures , now I gave statement that my claim is against the above said persons for entering in the house occupying the house on the strength of arms, for abusing and common intention to threaten for killing us, police action may be taken against them.

Action Police: I SIP Muhammad Sulaiman confirm that the statement under section 154 was read out verbatim to the complainant, who acknowledged it as correct and signed the

statement in English, hence this bail before arrest application on the following grounds: -

GROUND

1) That the Applicant / Accused is quite innocent and has been falsely implicated in this matter due to enmity with the complainant.

2) That there is inordinate delay in lodging FIR of 1 day and the complainant miserably failed to explain such delay, which creates doubts and case need further inquiry. **Relied upon 2008 P.Cr.L.J. 2524.**

3) That the applicant / accused purchased the said property from one Muhammad Saeed Shah Abdi S/o Aamir Ahmed, holding CNIC No.42301-4940431-1 at an agreed sale consideration of Rs.6,00,00,000/- (Rupees Six Crore only) and in this regard an agreement of sale dated 09 day of April 2014, was executed between the applicant / accused and said Muhammad Saeed Shah Abdi S/o Aamir Ahmed.

(Copy of sale agreement dated 09 April 2014 is attached herewith and marked as annexure A/1)

4) That the said Muhammad Saeed Shah Abdi S/o Aamir Ahmed assured the applicant/accused at the time of execution of above said agreement that the said property is free from all claims, liens, charges, burdens, bills, disputes, suits, liabilities, mortgage, encumbrances of whatsoever.

5) That the said Muhammad Saeed Shah Abdi S/o Aamir Ahmed, at the time of execution of the above said sale agreement has

received from the applicant/accused a sum of Rs.3,00,00,000/- (Rupees Three Crore only) in cash being the advance payment towards sale consideration of the 'Said Property', receipt of which he hereby fully admitted and acknowledged separately.

(Copy of the payment receipt is attached and marked as annexure A/)

6) That as per the terms of agreement of sale , the balance sale consideration to the tune of Rs.3,00,00,000/- (Rupees Three Crore only) of the said property was required to be paid by the applicant/accused to the said Muhammad Saeed Shah Abdi S/o Aamir Ahmed, at the time of Registration of Sale/Conveyance Deed.

7) That the said Muhammad Saeed Shah Abdi S/o Aamir Ahmed, had also delivered / handed over the vacant, peaceful and physical possession of the said property to the applicant/accused at the time of execution of sale agreement and also executed / delivered possession handing over and possession taking over letter duly attested by witnesses along with installed electric meter and gas meter installed over the said property. It is pertinent to mention that since then the applicant/ accused is enjoying lawful possession of the said property.

(Copy of possession handing over and possession taking over letter duly attested by witnesses is attached and marked as annexure A/)

8) That it is humbly submitted that the said Muhammad Saeed Shah died in the year 2015 and thereafter the applicant/accused approached his legal heirs and requested for performance of their part of contract on behalf of the deceased but they also tolerated on one

pretext or the other and till to date they have failed and neglected to perform their part of contract and the above said act / registration of FIR against the accused is series of harassment and blackmailing the applicant/ accused to refrain them from demanding the transfer and now they have illegally and unlawfully occupied the said property.

9) That the applicant/accused has already filed a civil suit being Suit No. /2023 before the court of Senior Civil Judge at Karachi South, in respect of the said property against the legal heirs of the deceased which is pending for adjudication. It is humbly submitted that they have filed the above FIR just to save their skin and to harass and blackmail the applicant/accused and trying to get eviction of the said property by hook and crook through illegal means.

(Copy of the suit along with annexure are filed herewith and marked as annexure A/)

10) That from the bare reading of FIR, it is crystal clear that there is civil dispute between the parties and in order to humiliate, disgrace and pressure the applicant, the complainant lodged this false case against him, as no such offence committed by the applicant.

11) That the FIR / case above mentioned has been filed to make revenge and to cause harassment to the applicant / accused in order to get go down into his feet.

12) That the alleged offences does not falls within the prohibitory clause of section 497 Cr.P.C.

13) That the complainant for wants of his malafide achievement and for the purpose to damage the reputation of applicant in his relatives, Mohalla Peoples lodged the instant case.

14) That since the registration of above case, the area police continuously busy in raiding to the applicant's house as well as houses of his relatives, therefore it is serious apprehension about the arrest of the applicant in this false case through the hands of police malafidely and in collusion with the complainant.

15) That if the applicant abovenamed will be arrested, he will be humiliated and subjected to be maltreated, which will caused and damages to his reputation status and dignity in the eyes of his friends, colloquies and relatives also.

16) That the applicant is neither hardened criminals nor absconder and is permanent residents of Karachi, hence there is no probability of the applicant to being absconder, or to exercise from the commission of crime.

17) That there is no chance of the applicant to temper with the witnesses.

18) That the applicant craves leave to add further grounds at the time of hearing of this pre arrest bail application.

19) That the applicant is ready to furnish the solvent surety for the satisfaction of this Hon'ble Court.

PRAYER

In the light of above facts and grounds it is respectfully prayed that this Hon'ble Court may be pleased to grant bail before arrest to the applicant, in the larger interest of justice.

Karachi:

Dated: -01-2024

Advocate for the Applicant

For immediate use in Court

IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI
SOUTH

B.B.A. Appl. No. / 2024

Mr. JK S/o
Mr. KUR

Applicant / Accused

VERSUS

The State

Respondent.

AFFIDAVIT

I, JK S/o Mr. KUR, Muslim, adult, Resident of Islamabad, Presently at Karachi do hereby state on Oath as under:-

1. That I am the applicant/accused in the above matter as such am fully conversant with the facts of the case.
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduce in this affidavit.
3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult me through the hands of the police in collusion with the complainant.
4. That due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police is continuously raiding the residence of the applicant as well as

the relatives of the applicant and there is imminent apprehension about the arrest of the applicant in this false case and police is dancing at the fingers of complainant and if the applicant will be arrested in this false case that would adversely affect my honour, dignity and reputation as well as causing irreparable loss to me.

5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated:

DEPONENT

IN THE COURT OF DISTRICT & SESSION JUDGE WEST AT
KARACHI.

B.A. No. / 2023

SO son of
MK,
Muslim, Adult, Presently confined
in Judicial Custody-----Applicant / Accused

VERSUS

The State ----- Respondent

BAIL APPLICATION U/S 497 Cr.P.C.

It is prayed on behalf of the abovenamed applicant / accused
that this Hon'ble Court may be pleased to enlarge the applicant /
accused on bail on the consideration of the following facts and
grounds:-

BRIEF FACTS

Brief facts of the prosecution story narrated by the complainant that I
ASI MSNi posted at Police Station Pak Colony with employees PC SR
, PC SL 7401, D/PC Yf, via Mobile Official No. with motorcycle
patrolling, police officials HC SO JH, PC SJA, PC IS , , for the purpose
of stoppage of Crime were was busy patrolling in the area, during
patrolling, we got information from our special informer that that one
person standing inside the street corner at above address in column
No.4 is busy in selling the Health Injurious Mawa, , after understanding
the said info genuine, I along with police party and motorcyclist Petrol
reached at about 1135 hours at above mentioned place and found on
person standing in the corner of street was busy in selling health
Injurious Mowa, who was caught with the help of other police officials

, who upon inquiry disclosed his name as SO son of MK, , , who was thoroughly searched in presence of accomplice employees HC SO JH, PC IS was made as witness due to non-cooperation of private witnesses and found that 90 packets of Health injurious Mawa was recovered inside the blue colour plastic bag , Mawa was weighted on Digital Scale and was weighing about 3 KG and 50 Gram, which was taken in police custody and was sealed with stamp , whereas 5 packets were separately sealed for chemical examination , the act of the accused above named reached under Section 4/8 of Gutka Mawa Act, the accused was arrested as per the rules and upon again search, Rs.140/- was also recovered from him, which were taken into police custody, case was registered against the accused above named after reaching back to police station. Copies of the FIR will be made according to the leader and distributed, hence this bail application on the following grounds:

GROUND

1. That the applicant / accused is quite innocent and falsely implicated in this case due to enmity, though he has no concern in the said offense.
2. That the police was motivated by malice and spelt to entangle the accused of the said case when he failed to fulfill the illegal demands of police.
3. That the alleged offence is bailable and the maximum punishment of Section 8 of Gutka Act is not less than one year or fine

Rs.2,00,000/- and the same is also bailable, hence the alleged offences does not falls within prohibitory clause of Section 497 Cr.P.C.

4. That the law prescribed that bail is better than Jail hence the accused is entitled for bail, as the offence was earlier bailable.

5. That the complainant falsely implicated to the applicant / accused by refusing illegal gratification by him to the complainant.

6. That there is no any reasonable ground in which applicant / accused has committed any offence whatsoever as alleged by the prosecution.

7. That there is no recovery from the possession of applicant / accused and the alleged recovery had been foisted upon the applicant / accused.

8. That the applicant / accused is neither previous convicted nor involved in any dangerous, disparate or hardened in criminal activities.

9. That the punishment of the offence is only one year and same is falls in the category of minor offences and does not fall within the prohibitory clause of section 497 Cr.P.C.

10. That the accused is permanent residing of Karachi and law abiding citizen of Pakistan as such he would neither abscond nor would temper with the PWs.

11. That the applicant / accused is ready to furnish solvent surety according to the satisfaction of this Hon'ble Court.

12. That the applicant/accused is labourer and is only the bread earner of his family and in case he is kept behind the bar, his family members shall suffer a lot in such era of high inflation.

13. That the further grounds would be urged at the time of hearing of this bail application with permission of this Hon'ble Court.

PRAYER

It is, therefore respectfully prayed on behalf of the abovenamed accused that this Hon'ble Court may graciously be pleased to enlarge him on bail, on the consideration of foregoing facts and grounds, in the best interest of justice.

Karachi:

Dated: Advocate for the Applicant / Accused

IN THE COURT OF JUDICIAL MAGISTRATE AT KARACHI

Fourth Bail Application No. / 2021

BA son of Rashid Ahmed
Muslim, Adult, Resident of
Karachi, presently confined at
Central Prison Karachi

Applicant/Accused

VERSUS

The State

Respondent

FIR No. 02/2021
U/S 371-A/371-B/376/506/34 P.P.C
P.S. Nazimabad Karachi

BAIL APPLICATION UNDER SECTION 497 CR.P.C.

It is most respectfully submitted on behalf of the applicant / accused abovenamed that this Hon'ble Court may be pleased to grant / enlarge the applicant / accused on bail, on the facts and grounds mentioned here as under:

-

FACTS

1. Brief facts giving rise to the instant FIR No. 02/2021, registered at PS Nazimabad, under section 371-A/371-B/376/506/34 P.P.C are that I ASI Muhammad Ashraf posted at PS Nazimabad Karachi was present at the police station that one lady namely Nayab Batool has come at Police station and her own statement under section 154 Cr.P.C was recorded, whose detail are as under: from duty office police station Nazimabad Karachi on 2021 at about 0145, statement under section 154 Cr.P.C are that Mst Nayab Batool daughter of Muhammad Shahbaz, resident of Flat No. Karachi, Cell No. came at police station and orally stated that since for the period of 04 months she is living with one BL and his wife SH and

I originally belonged to Gujranwala. My ex husband has left me and my son SB with them, later it disclosed by the said BL that my husband had sold me to him. Thereafter he along with his wife started maltreatment with me and forced me for prostitution and they again tortured my son, then I was forced to do the work of prostitution and I started the same, BL used to take me to different new places for prostitution with Na Mahram person and my son who was aged one year was kept by him. Today the said BL has left me at the area of Nazimabad and has taken my child with him and I after getting chance of escape have come to police station and after sometime BL would come to take me at Ground, my claim is against BL for forcing me to do work of prostitution by threatening and maltreatment with me and many times have committed Zina with me, legal action may be taken.

2. That the first bail application was moved by the accused/applicant before submission of Challan in instant FIR vide bail application No. ____/2021 before this Honorable Court and the same was dismissed vide order dated _____ and later the accused / applicant has filed a bail application Bail Application No. before Honorable High Court of Sindh at Karachi which was also dismissed vide order dated 2021, with the direction to the learned trial court to conclude the case within three months , and again a bail application No. was filed before IInd Additional Session Judge at Karachi Central which was also dismissed vide order dated 2021, copies of bail orders and bail applications are already on record of judicial file.
3. That the trial court has failed to conclude the case within three months as per direction passed by the High Court of Sindh at Karachi vide order

dated 2021, hence this fourth bail application on the following fresh and new grounds: -

GROUND

1. That the applicant / accused is totally innocent and has committed no crime and has been falsely implicated / booked by the complainant / police party in the instant case.
2. That the I.O. of the case with the malafide intention and ulterior motives falsely involved the applicant/accused as well as arrested the accused due to previous enmity, while no any specific role of the applicant/accused in the Challan.
3. That no evidence has been found against the accused/ applicant as per MLO / medico legal report and DNA reports submitted by the Sindh Forensic DNA and Serology Laboratory and such the accused / applicant has falsely been involved in instant case and has been behind the bar since last --- months.
(Copies of medical report, DNA report are filed herewith and marked as annexure A, to _____.)
4. That Challan has been submitted by the prosecution in the above FIR as such investigation has been completed and the accused/ applicant is no more required for investigation by the prosecution in the above case.
5. That the FIR has been lodged with the delay of three months, but the complainant failed to explain such delay, hence the case creates doubts.
6. That the complainant has concocted a false and frivolous story just to implicate the accused/ applicant in the above case and she has also failed to

disclose the exact time and date of the occurrence of said offence with her by the accused/ applicant.

7. That the complainant after registration of FIR has become intraceable and the IO of the case has submitted his report specifically mentioned that the complainant is not traceable.

8. That the IO has failed to produce any evidence to prove whether she was living in the house of the accused/applicant.

9. That IO has also failed to produce any documentary record of her ex-husband , and further no address of his father, or relative where she has been shifted after lodging of FIR.

10. That as per MLO report and statement of the MLO, no such medical evidences was found against the accused/ applicant to connect him in the instant case. No mark of injury/ violence seen all over the body of the complainant during physical examination by the doctor.

11. That the evidences collected and physical inspection made by the MLO, nothing has been approved of the occurrence of such incident as alleged in the FIR.

12. That no eye witness is mentioned in the FIR, who saw the applicant / accused at the time of committing such offence, as the witnesses mentioned are interested witnesses, therefore case need further inquiry.

13. That the prosecution has failed to conclude the case within three months in compliance of order passed by Honorable High Court of Sindh at Karachi in above case vide order dated 10-09-2021 which has completed on

09-12-2021 but the accused/ applicant has been behind the bar and facing trial but no evidence has been produced by the prosecution to convict the accused / applicant in the above case.

(Copy of order dated 10-09-2021 passed by the Honorable High Court of Sindh at Karachi is filed herewith and marked as annexure _____)

14. That the applicant / accused is law abiding citizen and he neither has been previously convicted nor involved in any other criminal case and his whole record is stainless.

15. That the case does not falls within the prohibitory clause of section 497 (2) Cr.P.C.

16. That the IO has also failed to produce any CDR of complainant mobile to prove whether she was living with the accused/applicant in the said house.

17. That the IO has also failed to produce MLO of physical torture etc with the complainant.

18. That the applicant / accused is neither has been previously convicted nor involved in any other case.

19. That applicant / accused is only bread winner of large family members, if he will remain in the jail, his family would be suffer irreparable loss.

20. That applicant / accused is permanent resident of Karachi and there if no chance of his abscondence.

21. That the applicant / accused is ready to furnish the surety according to the satisfaction of this Hon'ble Court in compliance to the order of this Hon'ble Court.

22. That the applicant / alleged accused prays to allow other grounds at the time of final hearing of this application.

PRAYER

It is, therefore, prayed on behalf of the above named applicant / accused that this Hon'ble Court may be pleased to enlarge him and allow accused / applicant on bail in the interest of justice and equity.

Karachi:

Dated: -12-2021

Advocate for Applicant / Accused

IN THE COURT OF JUDICIAL MAGISTRATE AT KARACHI

Second Bail Application No. / 2021

BA

Applicant/Accused

VERSUS

The State

Respondent

AFFIDAVIT

I, Waheed Hussain son of AH, Muslim, Adult, advocate , practicing at Karachi, do hereby state on Oath as under:-

1. That I am the deponent of this affidavit and duly engaged counsel for the applicant / accused in the above matter as such am fully conversant with the facts of the case.
2. That I say that the applicant/accused is behind the bar / jail custody since last one year and he has engaged me to file instant bail application before this Honorable Court and I am filing this bail on his behalf as he is behind the bar and could not appear before this Honorable Court to file instant bail application.
3. That whatsoever has been stated above is true and correct to the best of my knowledge, belief and information.

Karachi:

Dated: -12-2021

DEPONENT

IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT
KARACHI

CR. REV APP. / 2023

JA son of
MYA
Muslim, adult, resident of
House No: S2/216 Derakhshan Society
Kala Board Malir Karachi

Applicant

VERSUS

1. Mr MFL
son of MAL,
Muslim, adult, resident of, Karachi,

2. Model Trial Magistrate Court/ VII Civil
Judicial and Judicial Magistrate, Karachi Central

Respondents

**CRIMINAL REVISION APPLICATION UNDER
SECTION 435/439-A R/W SECTION 561-A CR.P.C.**

Being aggrieved and dissatisfied by the impugned order dated 2023 passed by the learned Model Trial Magistrate Court/ VII Civil Judicial and Judicial Magistrate, Karachi Central (Respondent No. 2) after issuance of Show Cause Notice to the applicant , thereby cancelled the bail already granted to the applicant in Criminal Case No. by Honorable Vth Additional District and Session Judge Karachi Central vide order 2020, it is humbly implored /prayed that this Hon'able court may be pleased to set aside the order dated 2023 passed by the learned Model Trial Magistrate Court/ VII Civil Judicial and Judicial Magistrate, Karachi Central (Respondent No. 2) after pursuing the record of the case by calling **R&P** and direct the respondent No. 2 to proceed with the case and after recording the evidence and release / acquit

the applicant in above case in accordance with law and on consideration of following facts and grounds:-

FACTS

1. The brief facts of the case are that the respondent No.1 registered an FIR bearing No. , under section 498 Cr.P.C in PS , Karachi, and narrated in the said FIR that “Orally stated by the complainant I reside at the above address along with my family and carries on business of property and car. I with SHB and SHSB and JA and the director of Builder Pak China Town named DM son of MY - HBi in association with these three had made a cash investment of Rs.260,000,000 from January 2018 to October 2018, which has witnesses and audio recording. HB, JA and Town Director DM gave me some cheque and files of 7 Block A which are of Tower and some cheque for cash including (1) Cheque No. amount of Rs.850000/- dated 2019, Cheque No. (2) amount of Rs.800000/- dated/2019, these Cheque are in the name of NK , No. (3) CA Amount Rs.10,00000/- dated 2019 in the name of HB, and (4) CA Amount Rs.10,00000/- dated 2019 of HB, So I deposited in my account No.,Bank, Karachi, on different dates, which bounced and returned on different dates which I told the above three, but they are being evasive, now I have come to report that legal action should be taken against them.”

(Copy of FIR is attached herewith and marked as annexure A/ 2)

2. That after registration of above said FIR, and after knowing about the registration of FIR, the applicant above named got bail in the above FIR vide order dated 2020, and joined the trial and was regularly attending

the above case, but the learned trial court (respondent No.2) issued show cause notice dated 20-03-2023 , the same was reply by the applicant but the learned trial court was again pleased to issue another show cause notice dated 2023, which was also replied by the applicant but no weight has been given by the respondent No.2 on the reasons / grounds and was pleased to pass the impugned order and cancel the bail already granted to the applicant in the above case vide order dated 2023, hence this Cr. Revision Application on consideration of following grounds:

)

GROUND

1. That impugned order is not in consonance with law laid down by the superior courts of Pakistan and as such is liable to be set aside.
2. That the Hon'able trial court has failed to consider the fact that the respondents has attempted to usurp the rights of the applicant fraudulently and it is the settled law that the fraud vitiates the most solemnest.
3. That the said DM (co-accused in above FIR) told the applicant to enter into compromise with the complainant and promised the applicant to pay an amount of Rs.1050,000/- to him for the said purpose and he also paid Rs.50,000/- to the respondent No.1 and on the basis of the said compromise the above bail was granted to the applicant thereafter he backed up from his promise as such compromise could not be affected with the respondent No.1, but thereafter the said DM and HB malafidely made compromise with the respondent No.1 and got removed their names from the FIR but as per promised failed to remove the name of the applicant, which shows that the said DM and HB have misused his

cheques for their own cause with the sole intention to involve the applicant in this false and frivolous case, otherwise the applicant has no direct business relations with the respondent No.1.

4. That after grant of above bail through compromise with the respondent No.1, the applicant on the assurance of the said HB and DM (co-accused in above FIR) that they would make compromise with the respondent No.1, he left for Turkey in connection with this business, thereafter upon return from Turkey, when the applicant came to know that his CNIC is blocked, he joined the trial , but now the learned trial court vide order dated 2023 was pleased to dismiss his first bail application.
5. That the respondent No.1 malafidely involved the applicant in this matter as the applicant did not give any cheque to the respondent No.1 and further he has no business relation with the respondent No.1 but the said cheques were misused by the said co-accused for fulfillment of their ulterior motives.
6. That the respondent No.1 failed to describe any agreement regarding business deal with the applicant nor produced any authentic documentary proof, which create serious doubt in the instant FIR.
7. That no name of the witness has been mention in the FIR before whom the cheque is handed over to the respondent No.1 by the applicant and suppressed the real story from the investigation officer.
8. That the applicant did not give any cheque to the respondent No. 1, thus the alleged offence does not attract the section 489-F PPC.

9. That the respondent No.1 in his legal notice dated 2020, sent to Mr IAS through his counsel himself admitted in the said legal notice that he has not issued the said cheques to the accused/applicant but the said cheques were issued by one Hasham Bukhari and he has no connection / business relation with the applicant, therefore the applicant is entitled for concession of bail.

(Copy of legal notice dated 21st January 2020 is attached herewith and marked as annexure A/ 2)

10. That the respondent No.1 has already filed two FIRs against the applicant on false and fictitious grounds and the applicant has been granted bails in the said FIRs vide order dated -2022 in FIR No. 2, and order dated 2020 in FIR No

(Copies of orders are filed herewith and marked as annexure A/ and A/)

11. That in any case it is the fit case where discretion should be exercised in favor of the applicant and he cannot be non suited as all the requirement of law has been fulfilled and hence the order impugned is liable to be modified, revised and set aside with appropriate directions as the trial court has not given sound and cogent reasons, and did not exercise its jurisdiction in true sprite of law and hence forth the order impugned is liable to be modified, revised and set aside and the applicant be given fair, cogent chance/ opportunity to defend his case and debar the applicant from the said Defence will cause miscarriage of justice and the same cause will suffer a lot to the applicant and is deprived from his Defence.

12. That after granting of bail, the applicant joined the trial and after 3 dates of hearing, the learned trial court was pleased to issue show cause notice which is against the law and there is no provision for issuance of said show cause notice is available under the law.

13. That earlier when the applicant did not appear before learned trial court, section 87-88 was conducted but no proceeding under section 514 Cr PC was carried out and surety was not forfeited as such the bail of applicant was intact and on the said bail, the applicant joined the trial and the said warrant of arrest issued under section 87-88 has been finished and no surety was forfeited , and when the applicant joined the trial, the learned trial court issued show cause notice and cancelled the bail of the applicant granted by District and Session Judge Central without sending any intimation to the honorable court as the learned trial court has no authority to cancel the said bail under section 497(5) Cr.P.C, the learned trial court was required to transfer letter to Session Court and the Honorable District & Session Court may cancel the bail. The learned trial court can only call surety from the Session Court, but instead of sending intimation and calling of surety from the Session Court, cancelled the bail granted by the Session Judge at Karachi Central in presence of accused and called surety , as such the said act of the learned trial court for passing impugned is illegal and unlawful and liable to be set aside and further allow the applicant to join the trial of the case.

(Copy of Warrant of 87-88 is annexed herewith and marked as annexure A/)

14. That so far question of limited jurisdiction U/S 439 Cr.P.C. is concerned the same is also not true as it is well settled by now that the

findings of facts recorded by the trial court cannot be treated as sacrosanct and can be interfered with by this Court under its Revisional Jurisdiction conferred under Section 493 of Cr.P.C. when the finding are based on insufficient evidence, misreading of evidence, non consideration of material evidence, erroneous assumptions of facts, patents error of law, consideration of inadmissible evidence, excess or abuse of jurisdiction, arbitrary exercise of power and where unreasonable view on evidence has been take.

15. That the Learned Trial Judge, did not advert to the facts of the case and have bypassed the documents, which renders the entire order as now passed as nullity in the eyes of Law and the applicant prays that the same be modify, alter and set aside with ample legal justification.
16. That the Revisional Court have got jurisdiction in all the appropriate matters to substitute its own findings and hence the revision merits to be allowed, the case be ordered to be dismissed and applicant be acquitted by charges leveled against him and the instant revision being well within time with permission to argue and argue further points at the time of hearing of revision application.
17. That the instant revision is well within time and counsel for the applicants crave leave of this Hon'ble court to urge, argue and submit further grounds at the time of hearing of main revision application.

PRAYER

In view of above, it is therefore prayed that this Hon'ble court may be pleased to set aside the impugned order dated 2023 by the respondent No.2 after

issuance of Show Cause Notices to the applicant, it is humbly implored /prayed that this Hon'ble court may be pleased to set aside the order dated 2023 passed by the respondent No.2 after pursuing the record of the case by calling **R&P** and direct the respondent No. 2, after proceeding the case in accordance with law and acquit him from the charges in above FIR.

Karachi
Dated

Applicant

Advocate for the Applicant

***For immediate use in Court
On Behalf of the applicant***

IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT
KARACHI

CR. REV APP. / 2023

JA

Applicant

VERSUS

Mr MFL

son of MAL, & Another

Respondents.

AFFIDAVIT

I, JA son of MYA, Muslim, adult, resident of Karachi, do hereby state
on Oath as under:

1. That I am the applicant, and is able to depose the facts mentioned with
respect to their subject matter of the proceedings in dispute.
2. That I say that the accompanying Revision Application has been drafted
and filed under my specific instructions and contents thereof are true and
correct to be deemed as forming part of this affidavit and brevity sake.
3. That I say that as per advice of my counsel that the matter is still
debatable and requires a detailed interpretation /interference of the Court
and I say that in order to make the matter ready for institution in this
Hon'ble Court, the revision has been filed as the learned trial court
(Respondent No. 2) have not properly exercised its jurisdiction vested in
it.

4. That until and unless the revision application is granted, as prayed, I shall be seriously prejudiced.
5. That whatever stated above and in the accompanying revision application are true and correct to the best of my knowledge, information and belief and as per legal advice of my counsel, which I verily believe to be true and correct.

Karachi
Dated

DEPONENT
CNIC No.
Cell No.

IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT
KARACHI

CR. REV APP. / 2023

JA

Applicant

VERSUS

Mr MFL

son of MAL, & Another

Respondents.

APPLICATION FOR CALLING R & P

It is prayed on behalf of the applicant above named that this Hon'ble Court may be pleased to call **R&P** from the learned Model Trial Magistrate Court/ VII Civil Judicial and Judicial Magistrate, Karachi Central (Respondent No. 2) as the same shall be conducive for just decision of the instant criminal revision application.

Prayer for calling R&P is made in the interest of justice .

Karachi

Dated

Advocate for the Applicant

IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT
KARACHI

CR. REV APP. / 2023

JA

Applicant

VERSUS

Mr MFL

son of MAL, & Another

Respondents.

AFFIDAVIT IN SUPPORT OF
APPLICATION FOR CALLING R & P

I, JA son of MYA, Muslim, adult, resident of Karachi, do hereby state on
Oath as under:-

1. That I am the Applicant in the above case, hence am well conversant with the facts of the matter.
2. That the accompanying application for calling R & P has been drafted by my counsel after due consultation with me.
3. That until and unless the accompanying application is allowed, the Applicant shall be seriously prejudiced.
4. That whatever stated above and in the accompanying application are true and correct to the best of my knowledge and belief.

Karachi:

Dated:

DEPONENT

IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT
KARACHI

CR. REV APP. / 2023

JA

Applicant

VERSUS

Mr MFL

son of MAL, & Another

Respondents.

APPLICATION FOR STAY / SUSPENSION
OF ORDER DATED 07-04-2023

It is prayed on behalf of the applicant above named that this Hon'ble Court may be pleased to stay the operation / suspend the order dated 2023, till disposal of this revision application as the same has been passed by violating the rules and regulations without giving due weightages to the reply of show cause notices and cancel the bail already granted to the applicant and has never misused the same but after joining the trial was regularly attending the court but absence so made in the case has been fully justified with supporting documents but no due weight has been given by the learned trial court and was pleased to cancel the bail.

Prayer is made in the interest of justice .

Karachi

Dated

Advocate for the Applicant

IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT
KARACHI

CR. REV APP. / 2023

JA

Applicant

VERSUS

Mr MFL

son of MAL, & Another

Respondents.

AFFIDAVIT IN SUPPORT OF APPLICATION
FOR STAY / SUSPENSION OF
ORDER DATED 07-4-2023

I, JA son of MYA, Muslim, adult, resident of Karachi, do hereby state on
Oath as under:-

1. That I am the Applicant in the above case, hence am well conversant with the facts of the matter.
2. That the accompanying application for stay /. Suspension of order dated 2023 has been drafted by my counsel after due consultation with me and contents whereof may be treated as part and parcel of this affidavit for the sake of brevity.
3. That until and unless the accompanying application is allowed, the Applicant shall be seriously prejudiced.
4. That whatever stated above and in the accompanying application are true and correct to the best of my knowledge and belief.

Karachi:

Dated:

DEPONENT

**IN THE COURT OF DISTRICT AND SESSION JUDGE AT
KARACHI EAST**

Criminal Appeal No. _____/2021

MJ

Presently confined in Central Prison

Through his Counsel ----- APPELLANT

V E R S U S

**1. AQ S/o MI
R/o Karachi.**

**2 XXIIND Judicial Magistrate,
East Model Trial Magistrate-II**

3. The State ----- RESPONDENTS

**CRIMINAL APPEAL UNDER SECTION 408
OF CRIMINAL PROCEDURE CODE**

Being aggrieved and dissatisfied with the sentenced passed by the learned XXII-ND Judicial Magistrate, East Model Trial Magistrate-II vide Judgement dated 2021, the Prosecution story briefly discussed as under:

(Copy of judgment dated 01-06-2021 is attached herewith as annexure "A/1".

F A C T S

Brief facts of the prosecution story are as follows:

1. That in October 2018, the respondent No.1 was introduced with appellant by one MA, who has business of wood in Market who disclosed to the respondent No.1 that he had order of Wood from Russia and offered to the respondent No1 to make investment in his business and will earn good profit, thereafter, the respondent No.1 after proper discussion paid different amounts total sum of

Rs.76,00,000/- through cheques and also in shape of cash to appellant MJ in presence of his father for investing in Wood Business in different times, upon which the appellant agreed to pay profit of the same after four months. The respondent No.1 demanded his business amount from the appellant on which the appellant dishonestly issued Cheque No. of Rs.70,00,000/- dated 2019 on presentation the same was dishonored by the concerned bank. The FIR was lodged against the appellant / appellant and investigation was conducted.

2. On 2019, the Investigation Officer submitted the interim challan against the appellant and his name was placed in column No.2 with red ink and on 2019, the I.O. submitted the Charge Sheet No. against the appellant and same was accepted vide order dated 2019 by the concerned Court of law. The appellant MJ was admitted on bail vide order dated 2019 passed by learned XVII Judicial Magistrate Karachi East. Necessary copies as required U/s 241(a) Cr.P.C were supplied to appellant under receipt as Exh. 01. A formal charge U/s 242 Cr.P.C was framed against them in which he pleaded "not guilty" and claimed trial vide plea recorded at
3. During the course of the trial, the prosecution has examined PW Adeel Khalid, he produced cheque along with return memo and deposit slip and letters. PW AQ produced photocopy of the agreement, photocopies of bank statement of account FIR, memo and naqsha nazri , memo . PW Muhammad Ashraf, produced

original agreement, PW Ghulam Sarwar produced qaimi entries No.s. 35 & 47. Entries Nos.17 & 11 and Entry No.23. The learned ADPP for the State closed side of the Prosecution.

4. The statement of appellant as recorded u/s 342 Cr.P.C in which appellant denied allegations and stated that he has no any business terms with the respondent No.1 in respect of wood. He never received any amount from the respondent No.1 as alleged by the complainant/respondent No.1 for business purpose. Fact is that he had business of woods in which he took orders from the customers and after repairing and making the articles, he supplied them back. The respondent No.1 ordered the appellant for preparing the doors and other articles of different amount, which he used to deliver him and payment was made in advance. He has not issued disputed cheques to him, since the respondent No.1 made good relation with him and he has transferred this cheque to one AS and he does not know how his cheque has been misused by AS and respondent No.1, better known to them. The appellant also denied the agreement as fake and also denied the signature apparent on disputed cheque and agreement. The appellant further stated that he is innocent and has been falsely implicated in this case. The respondent No.1 appeared at his shop and misbehaved with his father also did main handling with him. In this regard, his brother Muhammad Junaid moved application as PS Napier, Karachi. He produced such original receiving of application, cheque leaf issued to AS and deposit slips of amount deposited in account of daily Health Care on the instruction of

respondent No.1. He also produced the copies of Bill, accounts of statement of his personal bank account in Allied Bank Ltd, and Meezan Bank Ltd.

5. The learned ADPP for the State duly assisted by the learned Counsel for the respondent No.1 inter alia argued that the prosecution has established its case beyond shadow of any reasonable doubt; that the prosecution witnesses have fully stamped the charge of the subject crime against the appellant persons. He further argued that no contradictions of the prime significance are apparent in the evidence of the prosecution witnesses, who are constant on outstanding amount of the respondent No.1 against the appellant, the latter by means of fraud with sole object not to return the subject amount, dishonestly issued a cheque, which was dishonored on the presentation; that the documentary evidence is also available on record to show that the appellant persons have committed offence as alleged. The learned counsel for the respondent No.1 supported the arguments of learned ADPP for the State and also prayed for conviction of appellant.

**Copies of the FIR and Charged Sheet are attached
herewith and marked as annexure "A/ to A/ "**

G R O U N D S

1. That the accused/applicant is innocent and has falsely been implicated / convicted in above case/ FIR on the basis of forged and fabricated documents produced by the respondent No.1 in his favour and against the appellant.

2. That the respondent No.1 put the dust in the eyes of law and got the sentenced thereby imprisoned the innocent appellant.
3. That the Learned Trial Court has failed to determine this fact hence the judgment of the trial court is fanciful and contrary to the law hence liable to be set-aside, **PURE EXAMPLE OF ONE OF COPY PASTE**, which is evident by the page No.10 in first two lines/paragraphs, which is reproduced as under:

“That co-accused Chan Sultan as sole responsible of Al Sultan Towers and Travel and he has no role and designation in the company.”

4. That the subject judgment is pure example of copy paste, in such a judgment the innocent appellant is being convicted which shows incompetency of learned trial court while passing such judgment in irresponsible manner
5. That the respondent No.1 has failed to give detail of transfer of total amount of Rs.76,00,000/- through reliable mode. That it is a well settled principle of law that in such cases transaction must clearly be proved through reliable sources that such amount has been transferred to accused and the accused is liable to pay the same and in this regard the veracity is concerned in which capacity the cheque is issued to the complainant, but in this case complainant has miserably failed to produce single detail of amount which he has given to the accused and took cheque from the accused / appellant.

6. That during cross examination the counsel put various questions to the complainant regarding the cheques and as well as disputed cheque amount but the complainant did not properly reply in cross examination the important question are as under: -

“it is correct to suggest that the amount I invested were of my father of Rs.76,00,000/- and I have not stated such fact in any of statement.”

“It is correct to suggest that I have not produced account statement of my father at the time of investigation and as well as trial of the case.”

“It is correct to suggest that I have not stated in contents of FIR, where my father withdrawn alleged amount and gave me such amount in shape of cash and such fact I haven't to state in anywhere in the statement that my father gave cash amount to me for investment in business and I do not remember the date month and year when my father gave amount.”

7. That the such facts is not mentioned in any of the investigation that the amount was given by the father and further the complainant's father is not a witness and as well as not even present in the court and lodge any complaint regarding the subject incident and further IO did not send any notice to the father of the complainant regarding such inquiry of such fact being main issue to show the money trail as the complainant was not in any business at that time.

8. That in further cross examination, the complainant stated **“that 6500\$ Pakistani Rs.8,00,000/- at the time of execution of agreement and such fact has not been mentioned in any statement. Second payment of Rs.28,00,000/- which I deposited in bank account. It is correct to suggest that I have**

not mentioned in any statement, FIR, Chief and application about the payment of Rs.28,00,000/- which I deposited in account of Munir and he is not incorporated in the FIR. Thirdly I made payment through bank account as per bank statement produced by me in evidence, I paid Rs.28,00,000/- to Munir on the instruction of Accused MJ and such facts I have not stated anywhere in my statement. In number of meetings, I paid Rs.76,00,000/- in different times in respect of business to accused in year 2018 to 2019. It is correct to suggest that the sum of amount as per bank statement which I have produced before this Court would not be Rs.76,00,000/-. I paid in different installments i.e. 50,000/- and Rs.100,000/- as per my bank statement i.e. Rs.5,00,000/- to Rs.5,50,000/- approximately. It is correct to suggest that such fact of Rs.500,000/- to Rs.5,50,000/- I have not stated in my FIR. Vol. says I disclosed to I.O. and gave him bank statement during investigation. Fourthly I made payment of Rs.15,00,000/- cash approximately to accused in respect of business to accused. It is correct to suggest that such fact of payment of Rs.15,00,000/- is not mentioned in my any statement. I paid alleged amount to accused to Zahid Tariq Road Karachi, in presence of Ashraf, Jehangir/accused, Junaid and Munir and I have not stated their names in my any statement. It is correct to suggest that I paid Rs.28,00,000/- to accused at Timber Market Karachi. It is correct to suggest that I have not stated specifically about payment of Rs.28,00,000/- which I paid to

accused at Timber Market, Karachi. It is correct to suggest that I have not produced any proof that I paid amount of Rs28,00,000/- in bank account in Habib Metro of Munir and such fact is not mentioned in contents of FIR and statement u/s 161 Cr.P.C. it is correct to suggest that I met with Munir at his office and did not know Munir prior to meeting with accused Jehangir and before execution of alleged agreement.”

9. That the complainant stated that he paid Rs.56,00,000/- to Munir on instructions of accused but the complainant did not stated in FIR as well as investigation that as per contents of cross examination when counsel put specific question , “Is Munir is a witness of subject FIR or not”. That the Munir is not a witness and not incorporated in FIR and even the complainant himself not sent any legal notice to the said Munir for recording of his statement and further the complainant failed to show any deposit slip or online transactions of bank in between Munir and complainant at the stage of investigation and as well as trial , that it is settled principle of law when the investigation is not made about any factual controversy the same could not be taken as part of evidence but in the subject case the learned trial passed the conviction on the this sole grounds that the complainant paid the amount to the Munir on instructions of accused but Munir is not made part and parcel of this investigation and even Learned Trial Court and as well as complainant did not made any application for recording of statement of the said Munir even after submission of challan as far

as the learned trial court discussed that the name of Munir shown in column credit of bank statement produced by the accused , which is connected Munir and accused. That the subject statement produced by the accused in his defence that in his bank statement he has even received any huge amount of Rs.76,00,000/- from the complainant but as far as the question of Munir is concerned, that the learned trial court written in his judgment that the name of Munir shown in credit column in the bank statement of accused but learned trial court not determined the factual position which amounts is shown in the credit amount, that amount is pertaining to complainant amount or not , the subject query raised by the learned trial court in the judgment is only based of presumption and assumption and further Munir is the friend of complainant and in this regard whereas there was dispute of civil nature between accused and Munir hence the accused filed Civil Suit against Munir which is also produced before the trial court.

(Copy of Civil Suit is attached herewith and marked as annexure A/)

10. That the total amount which he shown in FIR and Examination in Chief , cross examination is Rs.76,00,000/- but at the time of cross examination, which amount is come to the tune of Rs.1,12,00,000/- as per his statement which he transferred to accused and Munir. This facts is not considered by the learned trial court and even not discussed the such facts in the learned trial court judgment, that the learned trial court passed judgment on arbitrary manner and even not discussed the total amount which is reflected by the cross examination of the complainant and as well

as even not discussed the core issue of evidence that complainant himself admitted that when he gave amount of Rs.28,00,000/- to the MJ he was alone with the accused MJ but on other hand, his witness namely Ashraf admitted in his cross examination that he was present at that time when the complainant gave amount of Rs.2800,000/- to the accused, such facts of evidence are also not discussed by the learned trial court that complainant and his witness manipulated the fake story of money trail and as well as cheque of the accused.

11. That the learned trial court stated in his judgment that learned counsel has not asked a single question regarding issuance of cheques, that the accused counsel specifically asked the question regarding the cheque that whether the cheque was filled by the complainant , and further he replied it is correct to suggest that my claim amount is Rs.76,00,000/- and cheque reveal amount of Rs.70,000/-. That counsel of accused specifically question regarding the cheque amount that the complainant did not proper reply about the subject issue that he has admitted that the complainant claimed Rs.76,00,000/- but the cheque produced by the complainant is Rs.70,00,000/-, that how learned trial court say that this fact is gone unchallenged and unrebutted.

12. That after raising of above question, the burden of proof shifted on the shoulder of complainant why he produced the cheque of Rs.70,00,000/- instead of Rs.76,00,000/- but the complainant did not provide any plausible /reasonable reply/explanation about the

disputed cheque and the such facts of evidence is not discussed and taken by the learned trial court this fact is required necessary discussion and burden is lies on the shoulder of prosecution and as well as complainant.

13. That as per the statement of het accused, the learned trial court written in the judgment that accused denied the signature upon the cheque but did not raised plea of verification of cheque but the accused counsel specifically raised the question to the complainant that the said subject cheque was filled by the complainant. That the learned trial court is empowered to pass order for forensic of the said cheque but the learned trial court failed to appreciate the question of the accused that the accused already raised plea of denial of signature upon the cheque, hence the appellant may graciously be pleased to order for forensic report for verification of signature. That the above said cheque was stolen by the said complainant from the shop of the accused and he also filled an amount of Rs.1,50,000/- upon the leaflet of the cheque book with malafide intention. That the accused has firstly narrated the true facts before the learned trial court , while later it transpired upon inspection of cheque book that there was written an amount of Rs.1,50,000/- against Mr AS as such the accused changed his statement as he has no relation with respect to such a huge amount as alleged in the said FIR with the said AQ but the said AQ has himself filled the cheque and also get signed from someone else , and the said signature can be verified /forensic from the

concerned department as the said cheque was misplaced /misused by the said AQ and AS.

14. That the so called agreement produced by the complainant are also contradictory agreement with the statement of the complainant that during the cross examination he admitted that the agreement did not show the amount of Rs.76,00,000/-, profit rate and also with respect to the payment of amount at the time of execution of said agreement.

15. That the complainant also failed to mention about the execution of so called bogus agreement between the parties in the FIR and in the said FIR the complainant say that the accused has imported the wood from Russia and if the complainant invested the amount he would earn good benefit , whereas on the other hand , in the so called agreement , it is mentioned that the complainant would invest the money and the accused would import the wood from Russia and thereafter profit will be distributed among the accused and complainant, which shows the contradiction in the statements of the complainant.

16. That as per statement of the complainant in the cross examination, he had paid Rs.76,00,000/- to the accused but as per total mentioned in the said examination, it comes to the tune of Rs.1,1200,000/-. Moreover he has stated that he paid Rs.56,00000/- to one MN but failed to produce any documentary evidence against the accused that the said amount was transferred on his instructions. It is further submitted that he said that he had

paid Rs15,00,000/- in cash to the accused in presence of witnesses but no witness has accepted the said amount in their statement. It is further submitted that the complainant has stated that he had paid Rs.28,00,000/- in cash to the accused and at the time of payment of said amount no one was present except he and the accused, whereas his witness has admitted in his cross examination that the complainant had paid Rs.28,00,000/- in his presence and the complainant has also failed to produce any receipt of payment of such a huge amount before this Honorable Court. It is further submitted that the complainant had only transferred Rs.5,50,000/- through online transfer in the bank account of the accused and the complainant has already purchased the wooden articles from the shop of the accused being his customer against the said amount but the other amounts as mentioned in the said cross were neither paid to the accused nor transferred to any other person on his instructions as alleged in the said cross examination of the complainant.

(Copies of bills are attached and marked as annexure A/ to A/ .)

17. That there was already enmity regarding sale, purchase of articles between the accused and the complainant and an episode of quarrelsome was held at the shop of the accused and the said matter was also reported to the police station, which shows that there was enmity between the parties.

(Copies of applications and report is attached and marked as annexure A/ to A/)

18. That the FIR was lodged on 2019, on the basis of false statement of the complainant, as at the time of lodging the FIR, as the cheque was deposited on 2019 in his bank account and stamp for clearing was for 2019, and memo for bounce of cheque by the said Bank2 Limited is also of dated 2019, which shows malafide of the complainant and his ulterior motives and the complainant had involved the accused in the said false case.

(Copies of deposit slips and memo of cheque by the bank are attached and marked as annexure A/ to A/)

19. That the complainant has produced only one witness in his favour besides other mentioned in cross examination who is also interested witness as he himself stated that he used to work with the father of the complainant and common friend of the complainant as such the said person is interested witness and his statement cannot be considered as valid statement in the eye of law.

(Copies of examination in chief and cross examination of the witness are attached and marked as annexure A/ to A/)

20. That the said witness has firstly admitted in the cross examination that the said cheque of Rs.70,00,000/- was issued by the accused at his office and at the same time he admitted that he has issued the said cheque at Market and thereafter he stated that he has wrongly mentioned that the said cheque was issued at the office of the accused, which also shows malafide of the said interested witnesses and there is contradiction in his statement about the issuance of cheque.

21. That there are also vast contradictions amongst the statements of the prosecution witnesses which the Counsel of the appellant will argue at the time of hearing of this appeal.

22. That the Learned Trial Court has overlooked the various aspects of the case and passed the conviction which is highly contrary and fanciful, bad in law hence liable to be set-aside and the convicted appellant is liable to be acquitted on the facts, laws and the circumstance discussed above.

(Copies of Cross Examination, the Statement of appellant and complainant & Accused are annexed herewith and are marked as Annexure A/ to A/)

23. That the accused was granted bail in above case in lieu of surety of Rs.2,50,00,000/-.

24. That the conviction of the accused is against the law, norms of justice and equity and due good conscience and in the similar cases when the evidences is on the record in support of accused.

25. That the learned trial Court has not considered the circumstantial evidence.

26. That further grounds shall be argued at the time of hearing of this appeal with the kind permission of this Hon'ble Court.

P R A Y E R

It is therefore prayed that this Hon'ble Court may be pleased to release the appellant on bail; he is ready to furnish the surety.

1. That the appellant may be pleased to acquit from the charge of 489-F PPC.
2. To set-aside the judgment dated 2021 and be declare that the appellant is an innocent person and acquit him from the charge.
3. Direct the Trial Court to initiate the proceedings of section 182 of PPC on account of submission of wrong statement before the Hon'ble Trial Court.
4. Any other better relief, which this Honorable Court may deem fit and proper under the circumstances of the case.

Karachi
Dated:

Advocate for the Appellant

**IN THE COURT OF DICTRICT AND SESSION JUDGE AT
KARACHI EAST**

Criminal Appeal No. /2021

MJ ----- APPELLANT

V E R S U S

AQ & Others ----- RESPONDENTS

APPLICATION U/S 426 CR.PC

It is humbly prayed on behalf of the abovenamed appellant / accused that this Hon'ble Court may graciously be pleased to release the appellant / accused on bail, till the deciding of the appeal U/s 408

Cr.P.C. and suspend the conviction awarded by learned learned XXII-ND Judicial Magistrate, vide Judgement dated 2021 in Session Case No., on the consideration of following facts and grounds:

FACTS

1. That in October 2018, the respondent No.1 was introduced with appellant by one MA, who has business of wood in Timber Market who disclosed to the respondent No.1 that he had order of Wood from Russia and offered to the respondent No.1 to make investment in his business and will earn good profit, thereafter, the respondent No.1 after proper discussion paid different amounts total sum of Rs.76,00,000/- through cheques and also in shape of cash to appellant MJ in presence of his father for investing in Wood Business in different times, upon which the appellant agreed to pay profit of the same after four months. The respondent No.1 demanded his business amount from the appellant on which the appellant dishonestly issued Cheque No. of Rs.70,00,000/- dated 2019 on presentation the same was dishonored by the concerned bank. The FIR was lodged against the appellant / appellant and investigation was conducted.
2. On 2019, the Investigation Officer submitted the interim challan against the appellant and his name was placed in column No.2 with red ink and on 2019, the I.O. submitted the Charge Sheet No. against the appellant and same was accepted vide order dated 2019 by the concerned Court of law. The appellant MJ was admitted on bail vide order dated 2019 passed by learned XVII Judicial Magistrate Karachi East. Necessary copies as required

U/s 241(a) Cr.P.C were supplied to appellant under receipt as Exh.

01. A formal charge U/s 242 Cr.P.C was framed against them in which he pleaded “not guilty” and claimed trial vide plea recorded at Ex 2/A.

3. During the course of the trial, the prosecution has examined PW AK, he produced cheque along with return memo and deposit slip and letters. PW AQ produced photocopy of the agreement, photocopies of bank statement of account FIR, memo and naqsha nazri, memo. PW MA, produced original agreement, PW GS produced qaimi entries . The learned ADPP for the State closed side of the Prosecution.
4. The statement of appellant as recorded u/s 342 Cr.P.C in which appellant denied allegations and stated that he has no any business terms with the respondent No.1 in respect of wood. He never received any amount from the respondent No.1 as alleged by the complainant/respondent No.1 for business purpose. Fact is that he had business of woods in which he took orders from the customers and after repairing and making the articles, he supplied them back. The respondent No.1 ordered the appellant for preparing the doors and other articles of different amount, which he used to deliver him and payment was made in advance. He has not issued disputed cheques to him, since the respondent No.1 made good relation with him and he has transferred this cheque to one AS and he does not know how his cheque has been misused by AS and respondent No.1, better known to them The appellant

also denied the agreement as fake and also denied the signature apparent on disputed cheque and agreement. The appellant further stated that he is innocent and has been falsely implicated in this case. The respondent No.1 appeared at his shop and misbehaved with his father also did main handling with him. In this regard, his brother MJ moved application as PS, Karachi. He produced such original receiving of application, cheque leaf issued to AS and deposit slips of amount deposited in account of daily Health Care on the instruction of respondent No.1. He also produced the copies of Bill, accounts of statement of his personal bank account in Bank1 Ltd, and Bank2 Ltd.

5. The learned ADPP for the State duly assisted by the learned Counsel for the respondent No.1 inter alia argued that the prosecution has established its case beyond shadow of any reasonable doubt; that the prosecution witnesses have fully stamped the charge of the subject crime against the appellant persons. He further argued that no contradictions of the prime significance are apparent in the evidence of the prosecution witnesses, who are constant on outstanding amount of the respondent No.1 against the appellant, the latter by means of fraud with sole object not to return the subject amount, dishonestly issued a cheque, which was dishonored on the presentation; that the documentary evidence is also available on record to show that the appellant persons have committed offence as alleged. The learned counsel for the respondent No.1 supported the arguments

of learned ADPP for the State and also prayed for conviction of appellant.

6. On the above mentioned facts the case was trailed against the appellant / accused and subsequently the learned Judge convicted the accused and sentenced him, hence this application on the following grounds, hence this application on the following grounds:

GROUND

1. That the appellant / accused is innocent and has been falsely implicated in this case.
2. That the record shows that the learned trial Court failed to make any efforts in order to arrange / provide defense counsel to the appellant at state expenses for pauper advocate, otherwise outcome of this case would be ends in acquittal of the appellant.
3. That even otherwise the prosecution against the appellant is replete serious doubts and contradiction hence the same could have not been the basis for passing conviction against the appellant.
4. That the conviction of the accused is against the law, norms of justice and equity and due good conscience and in the similar cases when the evidences is on the record in support of accused.
5. That the learned trial Court has not considered the circumstantial evidence.
6. That the entire evidence has been recovered by learned trial Court as such there is no apprehension to temper with the witnesses of appellant / accused released on bail.
7. That the appellant / accused is willing / ready to furnish solvent surety for the entire satisfaction of this Hon'ble Court.

8. That further grounds shall be argued at the time of hearing of this appeal with the kind permission of this Hon'ble Court.

PRAYER

It is therefore, prayed that this Hon'ble Court may be pleased to suspend the conviction and release the accused / appellant on bail on the consideration of above mentioned facts and grounds.

Prayed accordingly;

Karachi:

Dated: Advocate for the Appellant / Accused.

**For Immediate Use in Court only
On Behalf of the Appellant
IN THE COURT OF DISTRICT AND SESSION JUDGE AT
KARACHI EAST**

Criminal Appeal No. _____/2021

MJ ----- APPELLANT

V E R S U S

AQ & Others ----- RESPONDENTS

AFFIDAVIT

I, WH S/o AH Muslim, adult, r/o Karachi do hereby state on oath
as under:-

1. That I am the Counsel of the appellant and deponent of this Affidavit and well conversant with the facts of the case. I say that the accompanying applications under section 426 Cr.P.C have been drafted and fixed by me; contents thereof are true and correct and be deemed as forming part of this affidavit, not repeated here for sake of brevity.

2. That I say that the sentence is seemingly short, henceforth, it would be just, proper and expedient in the greater interest of justice that this Hon'ble Court may be pleased to suspend the sentence as in an identical case reported in the case in Lahore High Court being a D.B. judgment cited as 2008 PCRLJ at page 670.

3. That I say order of the production of Jail Report, where remissions, concessions and remaining period of which is un-expired

of conviction would be clearly mentioned which substantially facilitates this Hon'ble Court to hear this appeal in all dimensions squarely.

4. That unless the instant application is granted, I shall be seriously prejudiced and whatever stated above is true and correct to the best of my knowledge, information and belief and upon legal advice of my counsel.

DEPONENT
CNIC No.
Cell No.

Karachi:

Dated: J

IN THE COURT OF DICTRICT AND SESSION JUDGE AT
KARACHI EAST

Criminal Appeal No._____ /2021

MJ ----- APPELLANT

VER S U S

AQ & Others ----- RESPONDENTS

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Karachi

Dated

Advocate for the Appellant

IN THE HIGH COURT OF SINDH AT KARACHI
(Criminal Appellate Jurisdiction)

Bail Application No. / 2023

AKMApplicant / Accused

VERSUS

The State.....Respondent

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Karachi

Dated: -07-2023

ADVOCATE FOR THE
APPLICANT/AACUSED

**IN THE HIGH COURT OF SINDH AT KARACHI
(Criminal Appellate Jurisdiction)**

Bail Application No. / 2023

AKM
S/oAUR
Muslim, Adult, Presently
Confined in Judicial Custody.....Applicant / Accused

VERSUS

The State.....Respondent

BAIL APPLICATION U/S 497 Cr.P.C.

Being aggrieved and dissatisfied with orders passed on bail applications No. vide dated: 2023 by the learned IST Additional & Sessions Judge West Karachi and second Bail in Sessions Case No vide dated:2023 by the learned IST Additional District & Sessions Judge West Karachi, The applicant/accused prefers this bail application on the following facts and grounds amongst others, enumerated herein below:-

BRIEF FACTS

1. Brief facts of the case are that with reference to Case FIR No. registered under section 9(1)3(c) of Sindh (Amend) Narcotics Act 2022, P.S. SIU Karachi, at the time of arrest, from accused Asif Khan alias Mota son ofAUR, recovered 1600 grams of Charas , wrapped in plastic tap in the shape of Umbrella from his right side *Naifa* of his *Shalwar* , therefore the offence against the accused falls U/s 9(1)3(c) of Sindh (Amend) Narcotics Act 2022, P.S. SIU Karachi, hence the accused was arrested, the recovered

Charas has been separately sealed and stamped on spot, and the accused after thoroughly searched were taken into custody through **Fard** , which was prepared at the spot, after return to police station, the instant case against Accused AKM son of AUR is made out, as per direction of highup, the investigation shall be carried out by SI MW posted at this police station, and FIR will be distributed as per procedure.

2. That applicant/accused has filed bail application before Learned District and Sessions Judge at Karachi West, which was transferred to the Learned 1st Additional District and Sessions Judge West Karachi being bail application No. which was dismissed by the learned trial court vide order dated 2023.
3. That after completion of initial investigation, the charge sheet/Challan was submitted by the prosecution against the accused, after completion of further legal formalities, the case was transferred to Learned Trial Court/1st Additional District Sessions Judge Karachi West, for trial.

The certified Photocopy of Challan and Chemical Examination report are annexed and marked as "D & D/1").

4. That after passing considerable period of 6 month period) the 1st bail application was moved before Learned Trial Court on behalf of the accused, mainly on hardship ground of applicant/accused and lack of interest on the part of prosecution to conclude the

trial, which was also dismissed vide Order dated 2023. hence this second bail application on the following fresh grounds: -

GROUND

1. That the applicant/ accused is innocent and falsely implicated in this case with malafide intention and has committed no offence.
2. That there is nothing recovered from the possession of applicant / accused, and the alleged recovery has been foisted upon the applicant / accused by the prosecution due to non-fulfillment of bribe money.
3. That another co-accused namely Habib ur Rehman alias Mama son of Hassan Shah who was arrested along with the present applicant/accused and joint memo of arrest and recovery was prepared by the concerned police, later on two separate FIRs FIR No. abd FIR No, U/S 9(1)3(c) Control of Narcotics Act 2022 at PS SIU, have been lodged of same incident and quantity i.e; 1600gram , and the co-accused namely Habib ur Rehman alias Mama who has been granted bail by this Honorable Court vide order dated 2023 in Bail Application No. in the sum of Rs.50,000/- as such Rule of Consistency is fully applicable in the case of present accused and he is entitled for bail as a matter of legal right.

4. That the prosecution miserably failed to cite any private witness for the purpose of search and recovery of alleged charas, as the area is very thickly populated, and case needs further inquiry.
5. That the alleged recovery of 1600 grams of Charas from the possession of applicant is highly doubtful as there is no tangible evidence available for prosecution to prove the same in such circumstances, hence the case is doubtful and needs further inquiry.
6. That the alleged incident took place at 0015 hours and the police officials made the entries in the police station when they returned, so mentioned the time as 0230 hours and the same time mentioned in the FIR according to the incident at 0015 hours which is a serious contradiction and creates doubt in this case.
7. That the prosecution totally failed, not to mention in the FIR Challan and arrest memo and in their statement witnesses under section 161 Cr.P.C that the charas was sent to the chemical Examiner which is violation of law.
8. That the prosecution failed to show any purchaser of alleged Charas, which fact creates doubts and case needs further inquiry.
9. That final challan has been submitted and investigation is over and keeping the applicant/accused behind the bar will serve no purpose and as such he is entitled for concession of bail.

10. That so far no charge has been framed from the date of commencement of trial and only copies were supplied to the accused so far and since then the accused is being kept behind the bar un-justifiedly.
11. That there is no any criminal case pending against accused except the present one and he never remained involved in any criminal case.
12. That applicant / accused is permanent residing of Karachi and there is no likelihood of their absconding if he is admitted to bail.
13. That the applicant / accused is belongs to the labour category and suffers irreparable losses and the said offense involved is not punishable as the sentence of death or life imprisonment, hence applicant is entitled for the concession of bail and due to his prolong confinement, his family members are facing hardship for no fault on their part.
14. That the applicant / accused is ready to furnish solvent surety to the entire satisfaction of this Hon'ble Court.
15. That the further grounds shall be submitted at the time of hearing of this bail application.

PRAYER

It is, therefore, very respectfully prayed on behalf of the applicant / accused abovenamed that this Hon'ble Court may be pleased to grant

bail to the applicant / accused on consideration of forgoing facts and grounds, in the best interest of justice.

Karachi:
Dated: Advocate for the Applicant / Accused.

IN THE HIGH COURT OF SINDH AT KARACHI
(Criminal Appellate Jurisdiction)

Bail Application No. / 2023

AKMApplicant / Accused

VERSUS

The State.....Respondent

CHAPTER III-B, VOLUME –V
OF HIGH COURT RULES

For the facts and reasons disclosed in the accompanying affidavit, it is very respectfully prayed on behalf of the above-named applicant / accused that the Hon'ble Court may graciously be pleased to take up the matter as an urgent motion and fix the same on _____ in Court or before the chamber for hearing and orders.

Prayer is made in the interest of justice.

Karachi: Advocate for the Applicant / Accused

For immediate use in Court on behalf
of the applicant / accused.

**IN THE HIGH COURT OF SINDH AT KARACHI
(Criminal Appellate Jurisdiction)**

Bail Application No. / 2023

AKMApplicant / Accused

VERSUS

The State.....Respondent

AFFIDAVIT

I,GMKJ , Advocate, Muslim, Adult, R/o Karachi, practicing as an
advocate, do hereby state on Oath as under:

1. That I am the counsel of the applicant / accused in the above
matter and deponent of this affidavit, as such fully conversant with the
facts of the accompanying application.
2. That the accompanying Urgent application has drafted and filed
under specific instructions of accused persons, the contents whereof
are true and correct to the best of my knowledge and may be treated
as part and parcel of this affidavit.
3. That I say that the applicant / accused is behind the bar since
his arrest, as no fault from his side, and the prosecution unnecessarily
dragging out him in this false case.
4. That I say that unless the accompanying application is granted
the applicant / accused shall be seriously suffer and irreparable
losses.

5. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated: DEPONENT

IN THE HIGH COURT OF SINDH AT KARACHI
(Criminal Appellate Jurisdiction)

Bail Application No. / 2023

AKM
S/oAUR
Muslim, Adult, Presently
Confined in Judicial Custody.....Applicant / Accused

VERSUS

The State.....Respondent

APPLICATION FOR EXEMPTION

For the reasons disclosed in the accompanying affidavit, it is respectfully prayed on behalf of the applicant / accused abovenamed that this Hon'ble Court may be pleased to allow to produce the Photocopies of the annexures in the above-mentioned case, in the larger interest of justice.

Prayed accordingly.

Karachi:

Dated: Advocate for the Applicant / Accused

For Immediate use in Court
On behalf of the Applicant
IN THE HIGH COURT OF SINDH AT KARACHI
(Criminal Appellate Jurisdiction)

Bail Application No. / 2023

AKM
S/oAUR
Muslim, Adult, Presently
Confined in Judicial Custody.....Applicant / Accused

VERSUS

The State.....Respondent

AFFIDAVIT

I,GMKJ, Muslim, Adult, Advocate practicing at Karachi do hereby
state on Oath as under:-

1. That I am the counsel of the applicant / accused in the above
matter and deponent of this affidavit, as such fully conversant with
the facts of the accompanying application.
2. That the accompanying Exemption application has drafted and
filed under my specific instructions, the contents whereof are true
and correct to the best of my knowledge and may be treated as
part and parcel of this affidavit.
3. That I say that unless the accompanying application is granted
applicant / accused shall be seriously suffer and irreparable losses.
4. That whatever stated above is true and correct to the best of my
knowledge and belief.

Karachi:
Dated:

DEPONENT

IN THE HIGH COURT OF SINDH AT KARACHI
(Criminal Appellate Jurisdiction)

Bail Application No. / 2023

AKM
S/oAUR
Muslim, Adult, Presently
Confined in Judicial Custody.....Applicant / Accused

VERSUS

The State.....Respondent

FIR No. 30 / 2023
U/S 9(1)3(c) of
Sindh (Amend)
Narcotics Act 2022
P.S. SIU Karachi

CERTIFICATE

This is certify that this is second bail application being filed before this
Honorable Court and no any other bail of same FIR is filed by the
applicant/ accused and / or pending before any other court of law.

Karachi
Dated ____ Advocate for the Applicant/ Accused

**IN THE COURT OF 1ST CIVIL JUDGE & JUDICIAL MAGISTRATE,
KARACHI SOUTH .**

**ENQUIRY NO. 423/2023 DATED 2023 OF FIA CYBER
CRIME REPORTING CENTER, KARACHI**

Mst HB wife of AJB
Muslim, adult, resident of
Karachi, Cell No.

Applicant

**APPLICATION U/S 75 (2) CR.P.C. FOR CANCELLATION OF
WARRANT ISSUED AGAINST ABOVE INQUIRY UPON THE
HOUSE OF THE APPLICANT**

1. It is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to cancel the Search and seizure Warrant, order to be issued by this Hon'ble Court against the abovenamed applicant house address, without giving opportunity of hearing, and submitting her stance on the complaint on the basis of which the above warrant has been issued.

2. It is further submitted that the complainant namely SARind along with other miscreants persons namely Mst SH Rind wife of HCell Nos. , and KA son of H Both resident of , Karachi, are continuously busy in harassing, , pressuring, blackmailing, and threatening the applicant and her family member since last 1-2 months i.e. from the month of Ramzan by abusing, sending abusive voice notes / messages to the applicant and her daughter at their cell phone numbers and other social media accounts. It is further submitted that she has been frequently visiting the house of the applicant along with her son / proposed accused No.2 on her vehicle with unknown persons. The said facts can be assessed through the following fake links made in the name of the applicant and her daughter:

<https://www.facebook.com/profile.php?id=100092407345199&mibextid=LQQJ4d>

<https://www.facebook.com/profile.php?id=100092629397371&mibextid=LQQJ4d>

<https://www.facebook.com/profile.php?id=100092031532056&mibextid=LQQJ4d>
<https://www.facebook.com/profile.php?id=100092614786595&mibextid=LQQJ4d>
<https://www.facebook.com/profile.php?id=100093014311268&mibextid=LQQJ4d>
<https://www.facebook.com/profile.php?id=100093014311268&mibextid=LQQJ4d>
<https://www.facebook.com/profile.php?id=100009117529231&mibextid=LQQJ4d>
<https://twitter.com/pappu8077228725?s=11>

3. That the said fake facebook / twitter accounts have been posting objectionable posting picture with their editable pictures on timeline and on display pictures and the applicant is sure that the above said postings have been posted by the proposed accused persons against the applicant and her daughter. It is further submitted that they linked objectionable incidents with the applicant.
4. That on 2023, she came outside the house of the applicant and throw glass pieces and stones at the house with the sole intention to injure the inhabitants /. little girl / baby of the applicant in the house, when the applicant came out of the house, Mst SH with her son was sitting in the car outside the house and was busy in throwing stones / glass pieces in the house of the applicant and upon seeing the applicant they ran away from the scene. It is further submitted that the applicant reported the matter to the concerned police station vide application dated 2023 to the concerned police station but no action has been taken against the said culprits.
5. It is therefore, very humbly and respectfully prayed that this Hon'ble Court may kindly be pleased order for cancellation of Search and Seizure Warrant of her house, issued against the applicant, in the larger interest of justice and further be pleased to

direct the above said complainant and other miscreants persons to produce / surrenders all the digital equipments which are being used for posting above said illicit contents / posting through the above said fake accounts and other as well, and the applicant is also ready to surrender her digital equipment in her custody for kind perusal of this Honorable Court in above inquiry .

Karachi:
Dated;

Advocate for the Accused.

For Immediate Use in Court

**IN THE COURT OF 1ST CIVIL JUDGE & JUDICIAL MAGISTRATE,
KARACHI SOUTH .**

**ENQUIRY NO. 423/2023 DATED 25-05-2023 OF FIA CYBER
CRIME REPORTING CENTER, KARACHI**

Mst HB

Applicant

**AFFIDAVIT IN SUPPORT OF APPLICATION U/S 75 (2) CR.P.C.
FOR CANCELLATION OF WARRANT ISSUED AGAINST ABOVE
INQUIRY UPON THE HOUSE OF THE APPLICANT**

I, Mst HB wife of AJB, Muslim, adult, resident of House No. Karachi, Cell No. , do hereby state on Oath as under:-

1. That I am deponent of this affidavit as well as applicant in the above titled matter, as such am fully conversant with the facts stated herein.
2. That I say that the accompanying application has been drafted and filed under my specific instructions, contents whereof are true and correct to the best of my knowledge, and the same may please be treated as part and parcel of this affidavit for the sake of brevity.
3. That until and unless the accompanying application is granted, I shall suffer irreparable loss and will be seriously prejudiced.
4. That whatever stated above is true and correct to the best of knowledge belief to be true.

Karachi:
Dated:

DEPONENT

IN THE COURT OF DISTRICT AND SESSION JUDGE AT
KARACHI (CENTRAL)

Cr. Misc. Application No. /2023

KM S/o AMK
Muslim, adult, Resident of
, Karachi **Applicant/ Petitioner**

VERSUS

1. The SHO
Police Station
Karachi Central

2. The SSP Central
Karachi

Respondents

1. Mst ZK wife of K
Muslim, adult, resident of

Karachi.

2. AY Muslim, adult, resident of
Karachi.

3. NO , Karachi

4. MO
Muslim, adult, resident of Karachi
Proposed Accused Persons

APPLICATION UNDER SECTION 22-A & 22-B
OF CRIMINAL PROCEDURE CODE 1898

It is prayed on behalf of the petitioner above named that this Honorable Court may graciously be pleased to direct the respondent to record the statement of the petitioner under section **154 Cr.P.C** and register **FIR** against the delinquent /proposed accused persons and their abettors on consideration of following facts: -

FACTS

1. **Brief** facts giving rise to instant petition are that the applicant is law abiding and peace loving citizen of Pakistan and is living at the above said address, and he is not involved in any criminal or antisocial activities and his whole record is stainless and as such enjoys a good reputations among his family, friends, and general public as well.
2. That it is submitted that the applicant's elder brother Mr RI , is lawful owner of House No.Karachi, admeasuring 119.79 square yards. It is further submitted that the said plot is built up upto ground plus two floors.

(Copies of title documents are filed herewith and marked as annexure A/ 1 to A/)

3. That the applicant's brother filed rent cases bearing RC No., against Mr N who is tenant of ground floor, RC No. against Mr MO, who is the tenant of first floor and rent Case No. , against one NO who is tenant of second floor of the above said property. The said tenants were defaulters in payment of their monthly rent as such the above said rent cases were filed by the said Mr RI against them for their lawful eviction through due course of law. The said rent cases are pending before the Honourable Court of law for further proceedings.

(Copies of rent cases are filed herewith and marked as annexure A/ to A/)

4. That the said Mst ZK is the wife of the applicant and she is a very clear and psycho patient. It is further submitted that she had been living separately from the applicant since long in her parent house.
5. It is further submitted that the above tenants of ground floor and second floors upon receiving the summon of above rent cases, in connivance with the said Mst ZK (proposed accused No.1) and her brother namely AY(proposed accused No.2) have bent upon to harass, blackmail, abuse, pressurize, threatening the applicant and his brother. It is further submitted that they with the help of other gunda elements are extending threats to kill the applicant and his brother and forcing them to refrain from claiming the ownership and withdrawing the above said rent cases.
6. That the said Mst ZK (proposed accused No.1) and her brother AYare also miscreants/ criminals and she is claiming that she is the owner of the said property and wanted to occupy the said property by hook and crook and extended threats that in case they again came at the place , they have to face dire consequences. It is further submitted that the said AY (proposed accused No.2) is also bent upon to harass, and threatening the applicant for dire consequences by saying that he had already have murdered 3 persons and would also murder the applicant and his brother RI.

7. That on 31-10-2023, the applicant along with his brother again visited the said property and the said miscreants persons namely Mst ZK, AY, M and NO ((proposed accused persons) along with other 3/4 gunda persons were present in the said property and they used abusive language and beaten the applicant and his brother. It is further submitted that the said persons also threatened the applicant and his brother to face dire consequences.
8. That the said NO (proposed accused No.4) claimed that he has links with Gunda Elements, law enforcement agencies and political parties and threatening the applicant that he would kill him along with his brother and forced them to refrain from claiming their eviction from the said rented premises and also forced them to withdraw the above said rent cases.
9. That after receiving the above said threats the applicant and his brother are in serious apprehension that they would harm them and their family members, who are illegal occupant of the above said property and their ur lives are in serious dangers on the hands of the said persons along with other gunda elements / their henchmen.
10. **That** , the petitioner being respectable citizen of Pakistan was determined that highups of Sindh Police shall provide him shelter in accordance with law and would redress his grievances as such he sent a comprehensive / detailed application dated to **learned**

Inspector General Police, DIG Police Sindh, SSP Central, SSP Complaint Cell, SHO PS Karachi through courier but it is regretfully submitted that still no action has been taken by the police against the delinquents and the petitioner has become stranded in such state of affairs.

(Copies of applications and courier receipts are attached and marked as annexure A/ to A/)

1. **That** , it is humbly submitted that it is evident by the above , the petitioner has approached Sindh Police at apex level but no heed has been given as such has no other option except to land before this Honorable Court through instant petition.

PRAYER

In view of above said conspectus of facts, it is earnestly supplicated that respondent may kindly be directed to lodge FIR against the proposed accused persons and their abettors / co-accused in accordance with law as they have committed cognizable offences under the provisions of **provisions of Pakistan Penal Code 1860** with common intention, which is evident by the facts mentioned in above application dated 31-10-2023.

b) Direct the respondent to provide legal protection to the applicant and brother and family members as their lives are in dangers at the hands of the above said accused persons.

Any other relief which this Honorable Court may deem fit and proper under the circumstances of the case.

Prayer is made in the interest of justice.

Applicant

Karachi

Dated

Advocate for the Applicant

For immediate court use

IN THE COURT OF **DISTRICT AND SESSION JUDGE AT**
KARACHI (CENTRAL)

Cr. Misc. Application No. /2023

KM Applicant/ Petitioner

VERSUS

The SHO & Another Respondents

Mst ZK & Other Proposed Accused Persons

AFFIDAVIT IN SUPPORT OF APPLICATION UNDER SECTION
22-A OF CRIMINAL PROCEDURE CODER 1890

I, **KM S/o AMK, Muslim, adult, Resident of Karachi**, do
hereby state on oath as under:-

1. **That** , I am the applicant in the above case and as such I am well conversant with the facts of the case.

2. **That** , the accompanying application under **section 22-A & 22-B of Criminal Procedure Code, 1898**, has been drafted and filed under my specific instructions and for the sake of brevity the contents of the same may be treated as part and parcel of this affidavit.

3. **That** I say that I seriously apprehend any danger at the hands of proposed accused persons as they are powerful personality and they have bent upon me to harm me at any cost, which is evident by the facts mentioned by me in memo of petition.

4. **That**, I say that unless the accompanying application is allowed as prayed I shall be seriously prejudiced and suffer irreparable loss.

5. **That**, whatever stated above is true and correct to the best of my knowledge, belief and information.

Karachi
Dated

Deponent

IN THE COURT OF DISTRICT & SESSIONS JUDGE, EAST AT
KARACHI

Cr. P
etition No.

FL

Applicant

VERSUS

SHO PS & Others

Respondents

OBJECTIONS TO APPLICATION U/S 22-A CR.P.C.
ON BEHALF OF RESPONDENT

On behalf of the respondent abovenamed the objections against application U/s 22-A Cr.P.C., are being respectfully submitted as under:

1. That the applicant intentionally, deliberately and malafidely has made false statements in his application U/s 22-A Cr.P.C. and its supporting affidavit and in this way he has tried to misguide and play fraud upon this Hon'ble Court for the purpose of obtaining wrongful gains for himself and to cause wrongful losses to the Respondent, which act and conduct of the applicant amounts to contempt of Court too, for which he is liable to be prosecuted under the relevant law. It is necessary to mention here that the respondent reserve his legal right to file separate proper application in that regard.
2. That the application U/s 22-A Cr.P.C., as setout and filed by the applicant is not maintainable at this stage of the case, as the

instant application is not prima facie and based on false, fabricated, frivolous and vexatious allegations upon the applicant, as such the same is liable to be dismissed with cost.

3. That the true facts in relations to the applicant and proposed accused are that the applicant had already filed three FIRs bearing No. FIR No. against the proposed accused in connivance with other miscreants persons with malafide intention and for fulfillment of their ulterior motives and have falsely involved the proposed in false civil / criminal litigations on the basis of cheques which were never issued to the said complainant / respondent No.1.

(Copies of the FIRs are filed herewith and marked as annexure A/ to A/)

4. That it is humbly submitted that the applicant has also filed a Summary Suit No. Against the proposed accused against the above said cheques which were never issued to the applicant by the proposed accused but the said cheques were issued to some other and the said cheques were misused by the applicant against the proposed accused and they have already filed a serious of multiple litigations and he has already been facing false and frivolous trial which is itself appears from the contents of application under reply as all the litigations mentioned in the said application along with above FIRs have been filed by the complainant against the proposed accused persons. It is further submitted that the proposed accused have challenged the order passed in above Summary Suit in Civil Appeal No., which is pending before the court of law.

5. That it is further submitted that against the said FIRs the proposed accused has filed a Civil Suit No. 929/2023 against applicant and other persons for cancellation of the said cheques as the same were issued to one Danish Mushtaq for investment purpose , who have cheated with the proposed accused and gave the said cheques to the said applicant who have filed the above said false and frivolous litigations and involved the proposed accused in the above cases and further now under the garb of this false and frivolous application also trying to involve with the incident which was never occurred on his behest but he along with the said police officials have entangled / trying to involve in false and frivolous case with malafide intention and for fulfillment of their ulterior motives otherwise the proposed accused is nothing to do with the commission of the said offence and further the proposed accused believe on supremacy of law and never wanted to take law into his hands as he has already facing the above trials as such the application under reply is liable to be dismissed with special compensatory costs.

(Copies of summary suit and civil appeal are filed herewith and marked as annexure A/ to A/)

6. That the complainant is continuously busy in harassing, blackmailing and threatening the applicant by filing false and frivolous cases against him and have already entangled him such false cases which is evident by the perusal of above said cases.

7. That it is further submitted that the applicant with malafide intention did not make the police official as a party in the application under reply and no prayer is sought against him, whereas he himself admitted that he was kidnapped and he also gave them ransom to the tune of Rs.2,50,000/- through his cousin ZS, which clearly depicts his malafide intention to file this application with the sole intentions to involve the proposed accused in a case /offence which was never committed by him in any manner whatsoever.
8. That further from the perusal of the contents of application in the subject case, the respondent alleged that the applicant kidnapped him with the help of police officials , which is also a false allegation to further entangled him in another false and frivolous case.
9. That applicant's application is filed with malafide intention and ulterior motive, on to exert pressure and coercion on Respondent, not to knock the doors of Court of law and seek justice.

PRAYER

Therefore in the light of above mentioned objections it is respectfully prayed that this Hon'ble Court may be pleased to dismiss / reject the applicant's application U/s 22-A Cr.P.C. by imposing heavy cost upon the proposed accused as he intentionally has tried to waste precious time of this Hon'ble Court by delaying the matter and by creating complications in the same. It is in the interest of justice and equity as well as requirement of law.

Karachi:

Dated: FL

Advocate for Respondent

For immediate use in Court
on behalf of proposed accused

IN THE COURT OF DISTRICT & SESSIONS JUDGE, EAST AT
KARACHI

Cr. Petition No.

FL

Applicant

VERSUS

SHO PS & Others

Respondents

AFFIDAVIT

I, JA S/o YA , Muslim, Adult, R/o Karachi, do hereby state on
Oath as under:

1. That I am proposed accused in the above titled case and deponent of this affidavit, as such am fully conversant with the facts of the matter.
2. That I say that the accompanying objections to application U/S 22-A Cr.P.C, have been drafted and filed under my specific instructions and the contents whereof are true and the same may please be treated as part of this affidavit for the sake of brevity.
3. That I say that the applicant by making false and fabricated statements has tried to misguide this Hon'ble Court, for which he is liable to be prosecuted under the relevant law.
4. That until and unless the application under reply filed by the applicant is dismissed by imposing heavy cost upon the applicant and the above titled case is dismissed after its

proceedings, I shall be seriously prejudiced and will suffer irreparable loss.

5. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated

DEPONENT

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appl. No. / 2021

Mst SH Widow of
SSA, Muslim, adult,
resident of Flat No. 17/4 Block-B,
Gulshan-e-Noor, Sector No.22,
KDA Scheme No.33, SUPARCO Road,
Karachi

Applicant / Accused

VERSUS

The State

Respondent

BAIL APPLICATION UNDER SECTION 498 CR.P.C.

It is respectfully prayed that this Hon'ble Court may graciously be pleased to admit the applicant to anticipatory bail upon consideration of the following facts and grounds:-

BRIEF FACTS

Brief facts of instant bail application are narrated in the Complaint under section 3 & 4 of AML Act 2010 amended Sept. 2020 registered at PS. FIA ACC, Karachi. Hence, this application for bail on the following grounds:-

(Copy of Complaint No. is filed herewith and marked as annexure A

GROUND

1. That the applicant / accused is innocent and has been falsely implicated in this case by the complainant to save his skin and to involve the applicant / accused in the above said case mala fide intention and for fulfillment of his ulterior motives.

2. That the applicant is the owner of Shoes situated at Karachi. The above business is inherited to her through her father-in-law. It is further submitted that the applicant was given five million by the father-in-law through oral gift deed dated 2014. It is further submitted that the applicant is business partner of above said business vide Deed of Partnership and the business were being run by her employees and family members but she was not actively participating in above business.
3. That the applicant managed her business affairs through her brother namely Sameer who also was a bank manager at that time and the applicant also looking after business through her employees, but she did not visit her business due to illness of the father in law of applicant and after his death when the applicant started to visit her office and checked ledger of her business she found that her brother cheated/fraud with her and used her names to cheat the people and he also opened the bank account on her name without her consent or knowledge which is mentioned in the impugned notices/ FIRs / Complaint of instant bail application further the applicant never visited a single time at the branch where the accounts opened she also never signed any account forms at the bank.
4. That when the applicant came to know about the acts of her brother, she filed application to the high ups about the facts and people who were approaching her due to her brother fraud and she also gave a public advertisement in daily newspaper 2019, disentitled herself from her brother.

5. That the applicant appeared before FIA offices and recorded her statement and disclosed all the real facts to the FIA officer but the FIA again and again sending show cause notice to them and creating harassment to her for her illegal arrest, as the applicant has no concerned with the transactions conducted by the said Sameer and she also did not took benefits of any transaction of the above account, the real facts is that the prime accused also cheated with her and used her CNIC Card without her consent and knowledge.
6. That the police trying to disgrace and humiliate the applicant through arresting her . If the applicant is arrested in this false case, she will be humiliated and tortured at the hands of FIA officials.
7. That the FIA officials continuously raiding at the house of applicant as well as at the houses of her relatives for the purpose to arrest her in this false case, therefore applicant strongly apprehend about her arrest with the hands of FIA authority and there is no other member in their family who can defend her case therefore she is entitled to be protected and bail before arrest may be granted to her till disposal of above enquiry.
8. That the applicant is also on bail in FIRs No. vide order dated 2021 and as such entitle for concession of bail in instant case as the said complaint has contained the same facts mentioned in above FIRs.

(Copies of bail orders are filed herewith and marked as annexure B & C)

9. That the applicant is absolutely innocent and has been falsely and maliciously implicated in this case and her respect and modesty is highly affected in case she is arrested and concession of bail is not granted to her.
10. That it is in the interest of justice that a protective bail is granted to accused and the same if granted, she will fully cooperate with the investigation agencies.
11. That the applicant is neither hardened criminal nor absconder but she is respectable citizen of Pakistan, hence there is no probability of their absconsion or tempering with the evidence.
12. That the applicant is ready to furnish solvent surety to the satisfaction of this Hon'ble Court.
13. That this is first bail application before this Hon'ble Court on behalf of the applicant in the above said matter .
14. That the applicant craves leave to add further grounds at the time of hearing of this pre arrest bail application.

PRAYER

In the light of above facts and grounds, it is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to grant protective bail to her and further be pleased to suspend / cancel the warrants issued against the applicant /accused in the above case, in the interest of justice.

Prayer is made in the interest of justice .

Karachi:

Dated: **Advocate for the Applicant**

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appl. No. / 2021

Mst SH

Applicant / Accused

VERSUS

The State

Respondent

AFFIDAVIT

I, Mst SH Widow of SSA, Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduced in this affidavit.
3. That due to the reasons stated hereinabove as well as in the main application, it is submitted that FIA officials are continuously raiding at my residence as well as at the houses of my relatives and there is imminent apprehension about my arrest in this false case and the FIA authority is dancing at the fingers of complainant and if I am arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.
4. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: -12-2021

D E P O N E N T

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appl. No. / 2021

Mst SH

Applicant / Accused

VERSUS

The State

Respondent

**APPLICATION U/R 9, CHAPTER III-B, VOLUME –V,
OF HIGH COURT RULES.**

For the reasons disclosed in the accompanying affidavit, it is respectfully prayed on behalf of the abovenamed applicant that this Hon'ble Court may graciously be pleased to take the matter on urgent motion, fixing the same on _____ in the Court or in chamber for hearing and orders.

Karachi:

Dated: -12-2021

Advocate for the Applicant

**For immediate use in Court
on behalf of the applicant.**

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appl. No. / 2021

Mst SH

Applicant / Accused

VERSUS

The State

Respondent

AFFIDAVIT

I, Mst SH Widow of SSA, Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
2. That the accompanying Urgent application has been drafted and filed under my specific instructions, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.
3. That due to the reasons stated hereinabove as well as in the main application, it is submitted that FIA officials are continuously raiding at my house as well as houses of my relatives and there is imminent apprehension about my arrest in this false case.
4. That I say that unless the accompanying application is granted, I shall be seriously be prejudiced and suffers irreparable losses.

Karachi:

Dated:

DEPONENT

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appl. No. / 2021

Mst SH

Applicant / Accused

VERSUS

The State

Respondent

SECTION 151 FOR EXEMPTION **APPLICATION UNDER**

For the reasons disclosed in the accompanying affidavit, it is respectfully prayed on behalf of the abovenamed applicant that this Hon'ble Court may graciously be pleased to exempt the applicant above named to file / produce the certified copies of annexures as due to shortage of time , the same could not be produced with the instant application and the same will be produced as and when ordered by this Honorable Court.

Prayer is made in the interest of justice.

Karachi:

Dated:

Advocate for the Applicant

**For immediate use
in Court on behalf of the applicant.**

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appl. No. / 2021

Mst SH

Applicant / Accused

VERSUS

The State

Respondent

AFFIDAVIT

I, Mst SH Widow of SSA, Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
2. That the accompanying application under section 151 CPC for exemption has been drafted and filed under my specific instructions, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.
3. That due to the reasons stated hereinabove as well as in the main application, it is submitted that FIA officials are continuously raiding at my house as well as house of my relatives and there is imminent apprehension about my arrest in this false case as such due to shortage of time, the certified copies of annexures could not be produced with the instant bail application.
4. That I say that unless the accompanying application is granted I shall be seriously be prejudiced and suffers irreparable losses.

Karachi:

Dated:

D E P O N E N T

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appl. No. / 2021

Mst SH

Applicant / Accused

VERSUS

The State

Respondent

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Karachi:

Dated: -12-2021

Advocate for the Applicant

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appl. No. / 2021

Mst SH

Applicant / Accused

VERSUS

The State

Respondent

Complaint No. 36 / 2021
U/S 3 & 4 AML Act 2010
Amended Sept-2020
P.S. FIA ACC, Karachi ,

CERTIFICATE

This is certify that this is first bail application being filed before this
Honorable Court and no any other bail of same FIR is filed by the
applicant/accused and / or pending before any other court of law.

Karachi

Dated

Advocate for the Applicant/ Accused

**IN THE COURT OF DISTRICT AND SESSION JUDGE SOUTH AT
KARACHI**

Cr. Bail Before Arrest Appl. No. / 2023

1. RB wife of SB
Muslim, Adult,
Karachi.

2. Mst HB wife of AJB
Muslim, adult, resident of
Karachi,

Applicants

VERSUS

The State -----Respondent.

APPLICATION FOR BAIL BEFORE ARREST
U/S 498 Cr.P.C.

It is respectfully prayed on behalf of the abovenamed applicant /
accused above-named that this Hon'ble Court may graciously be
pleased to enlarge him on bail before arrest on the consideration of
following facts and grounds:

FACTS

1. Brief facts of the case narrated by the complainant in the above
Enquiry No. , Dated registered at FIA Cyber Crime Reporting
Center, Karachi are that I SR d/o AAR R/O Parliament Lodges, I
am currently working as recruitment consultant in health care.
Through this application, I would like to bring to your kind notice
that I have been harassed, stalked and blackmailed through fake
facebook accounts with user name SA and user name UR The said

fake facebook accounts have been posting objectionable posting with my edited pictures on timeline and on display picture. Moreover, I am sure that all the fake facebook accounts, with my name, have been created by Humma Jabbar Baloch who is my aunty and my mother's 2nd cousin (RB W/o SB holding CNIC . So I nominate HB as an alleged lady and I reported FIA Cyber Crime Islamabad to take strict legal action against HB and her co-partners also. I am going through several mental tension and stress. I seek justice and restoration of peace and harmony in my life. I request you to take strict legal action in the subject matter, please.

2. That it is further submitted that vide order dated passed by 1st Civil Judge & Judicial Magistrate Karachi South dated Search Seizure warrant has been issued against the houses of the applicants and the applicant has serious apprehension from FIA authority to arrest them and involved them in above false complaint, hence this bail before arrest application on the following grounds:

GROUND

1. That the applicants above named are innocents and falsely implicated in this case with malafide intention and ulterior motives, as he did not committed any offence.
2. That the complainant deliberately and intentionally dragging out the applicants in this false case, by mentioned false and concocted story.

3. That all the allegations against the applicants are false and fabricated and the complainant falsely implicated just to rivalry between them and for the purpose of blackmailing.

4. That the alleged postings were liked with the applicants by the complainant with malafide intentions and for fulfillment of her ulterior motives and has been misusing her strength of her rank against the applicants to drag them in the false complaints through FIA authority.

5. That offence above-mentioned does not fall under the prohibitory clause of Section 497 Cr.P.C. and bail in such cases shall be granted as a rule.

6. That the applicants are neither hardened criminals nor absconder and permanent resident of Karachi, hence there is no probability of the accused of being absconder, or to exercise of commission of crime. Moreover they are household ladies and are never involved in any illegal, immoral and criminal activities as alleged in the above complaint.

7. That the Illaqa Police / FIA authorities are raiding at the house of applicants repeatedly in order to arrest them falsely in this case and they will be arrested, they will be humiliated, tortured and disgraced by the police and their respect in the society will be lowered and their modesty will be assaulted.

8. That there is no chance of the applicant to temper with the witnesses.

9. That the applicant craves leave to add further grounds at the time of hearing of this prearrest bail application.

10. That the applicant is ready to furnish the solvent surety for the satisfaction of this Hon'ble Court.

PRAYER

In the light of above facts and grounds it is respectfully prayed on behalf of the applicants abovenamed that this Hon'ble Court may graciously be pleased to grant bail before arrest to the applicants, on the consideration of foregoing facts and grounds, in the larger interest of justice.

Karachi:

Dated

Advocate for the Applicants

**IN THE COURT OF DISTRICT AND SESSION JUDGE SOUTH AT
KARACHI**

Cr. Bail Before Arrest Appl. No. / 2023

RB & Another

Applicants

VERSUS

The State

Respondent.

AFFIDAVIT

I, RB wife of SB , Muslim, Adult, Karachi, do hereby state on Oath as under:-

1. That I am the applicant No.1 in the above matter as such am fully conversant with the facts of the case.
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduce in this affidavit.
3. That I say that from the contents of above inquiry and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult the applicants through the hands of the police in collusion with the complainant and there is no bar to grant bail in the alike cases.

4. That I say that due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police /FIA authorities are continuously raiding at our houses and there is imminent apprehension about our arrest in this false case and police is dancing at the fingers of complainant and if we will be arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.

5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: DEPONENT

**IN THE COURT OF DISTRICT AND SESSION JUDGE SOUTH AT
KARACHI**

Cr. Bail Before Arrest Appl. No. / 2023

RB & Another

Applicants

VERSUS

The State -----Respondent.

AFFIDAVIT

I, Mst HB wife of AJB, Muslim, adult, resident of Karachi, Cell No. do
hereby state on Oath as under:-

1. That I am the applicant No.2 in the above matter as such
am fully conversant with the facts of the case.

2. That the main application for the grant of bail before
arrest has been drafted under my instructions and the same
may be treated as part and parcel of this affidavit and for the
sake of brevity, the same has not been reproduced in this
affidavit.

3. That I say that from the contents of above inquiry and
circumstances as stated above no case is made out and the
said case has been malafidely registered only to insult the
applicants through the hands of the police in collusion with the
complainant and there is no bar to grant bail in the alike cases.

4. That I say that due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police /FIA authorities are continuously raiding at our houses and there is imminent apprehension about our arrest in this false case and police is dancing at the fingers of complainant and if we will be arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.

5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: -06-2023

DEPONENT

IN THE COURT OF DISTRICT AND SESSION JUDGE AT
KARACHI (EAST)

Cr. Misc. Application No. /2023

Mst SH Widow of SSA,
Muslim, adult,
M/s Footwear Co
Karachi.

Applicant/ Petitioner

VERSUS

1. The SHO
Karachi

2. The SSP Karachi

Respondents

1. SUD son of not known
Karachi

2. MS
through SUD

Proposed Accused Persons

**APPLICATION UNDER SECTION 22-A & 22-B
OF CRIMINAL PROCEDURE CODE 1898**

It is prayed on behalf of the petitioner above named that this Honorable Court may graciously be pleased to direct the respondent to record the statement of the petitioner under section **154 Cr.P.C** and register **FIR** against the delinquent /proposed accused persons and their abettors on consideration of following facts: -

FACTS

1. **Brief** facts giving rise to instant petition are that That the applicant is an edified, religious and respectable citizen of Pakistan and is living with her family and further doing her family business as a Managing Partner under the name & style of M/sFootwear. and running the said business since last 40-50 years and the said business was

established by her father in law after a long lasting efforts, experience, hardworking and dedication.

2. That, the applicant, due to the high standard quality and reliability of its products, has earned a good reputation in the business community as well as among its valuable customers. It is pertinent to mention that the shoes and other allied items under applicant's brand of New Metro Footwear are designed, prepared, and manufactured by her owned engineers, at its factory with high standard quality materials and due to the said reasons, the said products have been recognized and liked by its valuable customers. It is further submitted that the applicant has other outlets in different parts of the city and as such earns a good reputation among the general public as well.

3. That one SUD (proposed accused No.1) who is also running the business under the name and style of M/sShoes) at shop No. 19Karachi and also having running factory under the name and style of M/sShoes. It is further submitted that the in-laws of the applicant were having business relations with him and with the passage of time the applicant brand became unique, and they finished their business relations with the said SUD and started to make /manufacture their owned products at her factory.

4. That the said SUD now bent upon making products with compromised quality and misusing/ infringing the trade name of the applicant's brand name of Metro Shoes with the sole intention to cause serious harm to the applicant's business and lowered its prestige which she earned through long-lasting efforts among its valuable customers. It

is further submitted that his owned products due to low quality are not liked by the customers and due to the said reasons, he is also bent upon to harass, blackmail and threatening my clients through himself, his friends namely MS and other **Gunda elements** with the sole intention to refrain the applicant to carry on her own lawful business over the above said outlet at, Karachi. It is pertinent to mention that the said proposed accused has infringed the trade name of the applicant by making low quality products at his own factory.

5. That he is continuously sending the said people to her shop/ business premises, who used abusive, threatening languages and used to create dramas before valuable customers to assault and lower the prestige of her business in front of her valuable customers as he has become greedy and selfish and has been creating unnecessary hurdles in smoothly running the business of the applicant. It is further submitted that due to high quality and good standard valuable articles / shoes of the applicant the business of the proposed accused has lost its worth and his business is likely to be collapsed and as a revenge he has been continuously busy in playing tactics to defame, lower and underestimate the business of the applicant.

6. That the said SUD also used to visit himself and through his miscreants / **Gunda** elements at factory outlets of the applicant and busy in continuous harassing, blackmailing and threatened the workers / staff deputed over there and gave threatening messages to them and also sent threatening messages to the applicant through her workers working at the factory. It is pertinent to mention that the applicant is also receiving

threatening calls from unknown numbers i.e. and directing the applicant to visit the above said police station , otherwise FIR may be lodged against her as such the applicant is having serious apprehension for her involvement in any illegal and unlawful acts in connivance with some official of the police station.

7. That it is humbly submitted that the said SUD has continuously been involved in campaign of harassment, blackmailing and threatening the applicant by extending threats and through other henchmen / Gunda elements and further they have been visiting the shops/ factory of the applicant and has also made air firing outside the shop/ factory of the applicant and the applicant has serious apprehension for any unlawful act which could be life threatening and loss of business of the applicant due to the above said acts / omission of acts of the said Mr SUD and his other abettors/ facilitators.

8. That, the applicant / petitioner being a law-abiding citizen of Pakistan believes on supremacy of law as such she has sent a comprehensive / detailed application to concern SHO/ Respondent No.1 and respondent No.2 through couriers and endorsed the same to their high-up's but it is regrettably submitted that still no action has been taken by the police against the delinquents and the petitioner has become stranded in such state of affairs.

(Copies of application and Couriers receipts are attached and marked as annexure A/ to A/)

9. That , it is humbly submitted that it is evident by the above , the petitioner has approached Sindh Police at apex level but no heed has been given as such has no other option except to land before this Honorable Court through instant petition.

PRAYER

In view of above said conspectus of facts, it is earnestly supplicated that respondent may kindly be directed to lodge FIR against the proposed accused persons and their abettors / co-accused in accordance with law as they have committed cognizable offences under the provisions of the **Pakistan Penal Code 1860** with common intentions, which is evident by the facts mentioned in application annexed herewith and further be pleased to provide life protection from the illegal and unlawful clutches of the proposed accused persons.

Any other relief which this Honorable Court may deem fit and proper under the circumstances of the case.

Prayer is made in the interest of justice.

Applicant

Karachi

Dated

For immediate court use

**IN THE COURT OF DISTRICT AND SESSION JUDGE AT
KARACHI (EAST)**

Cr. Misc. Application No. /2023

Mst SH

Applicant/ Petitioner

VERSUS

The SHO PS Ferozabad & Another

Respondents

**AFFIDAVIT IN SUPPORT OF APPLICATION UNDER SECTION
22-A OF CRIMINAL PROCEDURE CODER 1890**

**I, Mst SH Widow of SSA, Muslim, adult, resident of Karachi, do
hereby state on oath as under:-**

- 1. That** , I am the applicant in the above case and as such I am well conversant with the facts of the case.
- 2. That** , the accompanying application under **section 22-A & 22-B of Criminal Procedure Code, 1898**, has been drafted and filed under my specific instructions and for the sake of brevity the contents of the same may be treated as part and parcel of this affidavit.
- 3. That** I say that I seriously apprehend any danger at the hands of proposed accused as the said proposed accused persons are powerful personalities and they have bent upon me to harm me at any cost, which is evident by the facts mentioned by me in memo of petition.

4. **That**, I say that unless the accompanying application is allowed as prayed, I shall be seriously prejudiced and suffer irreparable loss.

5. **That**, whatever stated above is true and correct to the best of my knowledge, belief, and information.

Karachi
Dated
Advocate for Applicant

Deponent

To,

The SHO
Police Station
Ferozabad, Karachi

Subject: **APPLICATION FOR REGISTRATION OF FIR AGAINST ONE
SALAH UD DIN AND OTHER MISCREANT PERSONS**

Respected Sir,

I, Mst Shaista Widow of Sajjad Sultan Ali, carrying on business under the name and style of M/s New Metro Footwear Co at Shop No. 293-C, Meto House, Main Tariq Road, near Liberty Chowk, Karachi, beg to state as under: -

1. That the applicant is an edified, religious and respectable citizen of Pakistan and is living with her family and further doing her family business as a Managing Partner under the name & style of M/s New Metro Footwear Co. and running the said business since last 40-50 years and the said business was established by her father-in-law after a long lasting efforts, experience, hardworking and dedication.
2. That, the applicant, due to the high standard quality and reliability of its products, has earned a good reputation in the business community as well as among its valuable customers. It is pertinent to mention that the shoes and other allied items under applicant's brand of New Metro Footwear are designed, prepared and manufactured by her owned engineers, at its factory with high standard quality materials and due to the said reasons, the said products have been recognized and liked by its valuable customers. It is further submitted that the applicant has other outlets at different parts of the city and as such earns a good reputation among the general public as well.
3. That one Salah ud din who is also running the business under the name and style of M/s Shoes 4 U (Usman Shoes) at shop No. 19/B Block 2 PECHS at Tariq Road, Karachi and also having running factory under the name and style of M/s Usman Shoes. It is further submitted that the in-laws of the applicant were having business relations with him and with the passage of time the applicant brand became unique, and they finished their business relations with the said Salah ud din and started to make /manufacture their owned products at their factory.
4. That the said Salah ud din now bent upon making products with compromised quality and misusing/ infringing the trade name of the applicant with the sole intention to cause serious harm to the applicant and lowered its prestige which she earned through long-lasting efforts among its valuable customers. It is further submitted that his owned products due to low quality are not liked by the customers and due to the said reasons, he is also bent upon to harass, blackmail and threatening my clients through himself, his friends namely Mushtaq and other **Gunda elements** with the sole intention to refrain the applicant to carry on her lawful business over the above said outlet at Tariq Road, Karachi.
5. That he is continuously sending the said people to her shop, who used abusive, threatening languages and used to create dramas before valuable customers to assault and lower the prestige of her business among the customers as he has become greedy and selfish and has been creating unnecessary hurdles in smoothly running the business of the applicant.
6. That the said Sadrauddin also used to visit himself and through his miscreants / gunda elements at factory outlets of the applicant and busy in continuous harassing, blackmailing and threatened the workers / staff

deputed over there and gave threatening messages to them and also sent threatening messages to the applicant through her workers working at the factory. It is pertinent to mention that the applicant is also receiving threatening calls from unknown numbers i.e. 03002157541, and directing the applicant to visit the above said police station Ferozabad , otherwise FIR may be lodged against her as such the applicant is having serious apprehension for her involvement in any illegal and unlawful acts in connivance with some official of the police station.

7. That it is humbly submitted that the said Salah ud din has continuously been involved in campaign of harassment, blackmailing and threatening me by extending threats and through other henchmen / gunda elements and further they have been visiting the shops/ factory of the applicant and has also made air firing outside the shop/ factory of the applicant and the applicant has serious apprehension for any unlawful act which could be life threatening and loss of business of the applicant due to the above said acts / omission of acts of the said Mr Salah ud Din and his other abettors/ facilitators.
8. In view of above said conspectus of facts, it is earnestly requested that legal action against the above said Salah ud Din , holding CNIC No. 42201-21936485, Cell No. 0314-2984901, Mushtaq, other miscreants persons and their abettors/ facilitators may please be initiated and an FIR may be lodged against and also restrained them from harassing, blackmailing and threatening me and my family members by providing life protection, as they are continuously engaged in the said crime and unless they are not restrained the applicant shall loss her business.

Thanking you.

Yours truly,

Mst Shaista Widow of
Sajjad Sultan Ali

Copy to:

1. IG Sindh,
2. DIG Sindh
3. SSP District East
4. SSP Complaint Cell East