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Lahore High Court, Lahore.

Form No:HCJD/C-121

ORDER SHEET
IN THE LAHORE HIGH COURT
LAHORE
JUDICIAL DEPARTMENT

Case No. **Crl.Misc.No.73529-B OF 2019**

Sohail Ahmad Ghauri Vs **The State etc.**

No. of order/ proceeding	Date of order/ proceeding	Order with signature of Judge, and that of parties or counsel, where necessary
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16.01.2020 M/s Ashtar Ausaf Ali, Muhammad Qamar uz Zaman and Barrister Asad Rahim Khan, Advocates for petitioner. Mr. Baleeghuz Zaman Chaudhree, Advocate along with complainant. Mr. M. Arshad Farooqi, DPG

Through this petition u/s 497 Cr.P.C., petitioner Sohail Ahmad Ghauri, seeks post arrest bail in case F.I.R.No. 1391 dated 17.12.2013 registered u/s 489-F PPC, at Police Station A-Division, Okara.

2. Briefly, the allegation against the petitioner as per crime report lodged by Malik Muhammad Akram Shad, is that he issued three cheques amounting to Rs.9,50,001/- in favour of the complainant which on presentation before the concerned bank, were dishonoured.

3. Heard. Record perused.

4. At the very outset learned counsel for the petitioner submits that the petitioner Sohail Ahmad Ghauri has settled the dispute with the complainant Malik Muhammad Akram Shad, who has no objection if bail application of the petitioner is allowed.

5. Malik Muhammad Akram Shad complainant, present in the Court along with his learned counsel, has endorsed the factum of compromise between the parties and submitted

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affidavit (Mark-A) and states that he has no objection if bail application of the petitioner is allowed.

6. Learned D.P.G. for the State has not opposed this bail petition on the basis of settlement arrived at between the parties.

7. Record reveals that the offence with which the petitioner has been charged is compoundable as mentioned in section 345 Cr.P.C. The compromise between the parties has always been held a redeeming feature, which brings peace and harmony in the society and only for this reason, the courts have always respected enthusiasm and passion of the parties to compound the offence. The statement of the complainant coupled with his affidavit (Mark-A) reflects that he has entered into compromise of his own free will and consent and has no objection if bail application of the petitioner is allowed. In view of the above-mentioned facts the case of the petitioner calls for further inquiry falling under sub-section (2) of section 497 Cr.P.C. He is behind the bars and no more required for further investigation. No useful purpose would be served to the prosecution for his further detention.

8. Consequently, while taking into consideration the statement of the complainant before the Court and affidavit (Mark-A), this petition is allowed and post arrest bail application of the petitioner, Sohail Ahmad Ghauri, is allowed, subject to his furnishing bail bonds in the sum of Rs.1,00,000/- (Rupees one lac) with one surety in the like amount to the satisfaction of the trial court. However, the parties are bound down regarding the terms of the compromise.

(EXAMINER)
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The Qanun-e-Shahadat Order, 1984

TRUE COPY (Raja Shahid Mehmood Abbasi)
Judge
In Case No. 7831-2020
Examiner, J.C.S (Copy Branch)
Lahore High Court, Lahore