

BBA No. 668/4 of 2025
Sardar Muhammad Khan VS The State

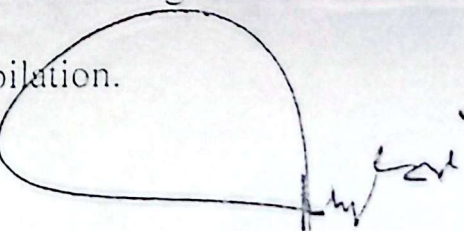
ORDER 06
10-11-2025

passing the impugned Order. Thus the BBA being extraordinary relief cannot be granted to such person/accused who approached the Court bona fide, which is lacking on the part of the petitioner/accused in the instant case.

Thus for the stated reason, the application in hand is hereby dismissed and the ad-interim pre-arrest bail already granted to the accused/petitioner is hereby recalled. Sureties of the accused/petitioner alongwith verifier of the bonds are absolved from the liabilities towards the bail bonds.

Record alongwith copy of this order be sent back forthwith while file of the instant BBA petition be consigned to Record Room after its necessary completion and compilation.

ANNOUNCED
10-11-2025



(IJAZ UR REHMAN)
Additional Sessions Judge-III,
Mansehra

ORDER:06
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financial loss. Accordingly the FIR was chalked out against the nominated accused, hence the instant BBA petition.

Arguments heard and record gone through.

Record transpires that the petitioner/accused was earlier on bail but his bail was recalled due to his frequent absence from the Court proceedings and subsequently vide Order No22 dated 14-10-2025 the learned trial Court/JM-I, Mansehra after recording statement of the DFC as to absconson of the petitioner/accused has proceeded against him U/S 512 Cr.PC and his bail bonds were forfeited U/S 514 Cr.PC. Thus under the stated ibid facts the bail order is ispo facto recalled. Reliance placed on reported judgment "2019 SCMR 1641". Though during the course of arguments learned counsel for the petitioner/accused vehemently deposed that due to illness the petitioner/accused was unable to attend the learned trial Court and also placed on file a photocopy of medical prescription of KATH Mansehra dated 27-09-2025, wherein 10 days bed rest was advised to him. If this stance of the petitioner/accused be allowed for a while even then his bed rest time was lapsed on 06-10-2025, while after that date vide Order Sheet No.21 dated 09-10-2025 and Order Sheet No.22 dated 14-10-2025 he remained absent and consequently proceeded against U/S 512 Cr.PC. Thus this contention of the petitioner/accused is not supported by the available record. No mala fide on the part of the complainant and prosecution exists neither any recklessness is evident on the part of the learned trial Court by

16/11/25

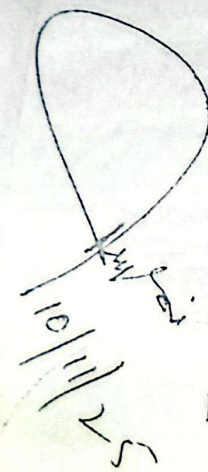
IN THE COURT OF IJAZ UR REHMAN
ADDITIONAL SESSIONS JUDGE-III, MANSEHRA

BBA No.668/4 of 2025
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Accused/petitioner on ad-interim pre-arrest bail present. Learned counsel for the complainant is also in attendance. Deputy PP for the State present. Record received.

Accused/petitioner namely Sardar Muhammad Khan son of Atta Muhammad Khan has filed instant BBA petition for his pre-arrest bail in case FIR No.1275, dated 20-11-2019, under section 489-F PPC PS City, Mansehra.

 Facts of the case as per contents of FIR are that on 19-01-2019 complainant Waleed son of Sabir submitted an application to the local police contending therein that about two and a half years back accused Sardar Muhammad Khan has fraudulently sold out a rented house situated at Fauji Foundation to the complainant's son for a sale consideration of Rs.25,00,000/- and later on getting knowledge of reality he inquired the matter from the accused, however initially he was using delaying tactics but when he wants to initiate legal proceedings against him, the accused has issued him a cheque No.2289855271, dated 15-12-2017, amounting Rs.25,00,000/-, which on presentation before the concerned bank got dishonored, dishonor slip is annexed. That accused has intentionally defrauded him by issuing the aforesaid act, who is intending to deprive him from such huge amount and to cause him