

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Rev. A. No.S- 51 of 2011

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DATE

ORDER WITH SIGNATURE OF JUDGE

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For hearing of case.

28.02.2020

Mr. Pervez Tarique Tagar, Advocate for the Applicant.

Mr. Shahid Ahmed Shaikh, D.P.G alongwith ASI Bashir Ahmed of P.S Tando Muhammad Khan City.

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It appears from the record that this criminal revision application has been filed by Applicant Mir Hassan Jamali against concurrent judgments passed by two Courts below, whereby the learned Judicial Magistrate-I, Hyderabad after full dressed trial convicted and sentenced the Applicant in Case No.128 of 2010 (Re: The State V Mir Hassan and another) emanating from Crime No.88 of 2010, registered at Police Station Qasimabad Hyderabad, under sections 457, 380 and 411 PPC as stated herein below:-

“-----, Resultantly, I convict accused Mir Hassan under section 245(2) CrPC for offence under section 411 to suffer simple imprisonment for period of 2 years with benefit of section 382-B CrPC is also extended to him. Accused shall be sent to jail for serving his sentence.-----”

But on appeal, the learned IInd Additional Sessions Judge, Hyderabad vide his judgment dated 06.04.2011 passed in Cr. Appeal No.62 of 2010 maintained the same.

2. It is noted that after filing this criminal revision application, the Applicant was granted bail and impugned judgments were suspended by this Court vide order dated 18.04.2011 and after furnishing the requisite surety he was released on bail but it is also noted that after releasing on bail, the Applicant is avoiding to appear before this Court to proceed with this criminal revision application.

3. It is stated by learned counsel for the Applicant that Applicant is not in contact with him since long, therefore, according to him, he does not press this criminal revision application for want of instruction.

4. On the other hand, learned D.P.G submits that there is sufficient evidence available on record against the Applicant and the allegation against him has been proved by the prosecution concurrently before the two Courts below. He further submits that the impugned judgments passed by the Courts below do not suffer from any illegality or infirmity hence no interference by this Court is called for.

5. In these circumstances, I dismiss this criminal revision application alongwith pending application(s), if any, and maintain the impugned judgments passed by two Courts below dated 20.12.2010 and 06.04.2011.

6. Since the Applicant after suspension of the impugned judgments and as a result thereof releasing on bail in this matter, has remained absent for sufficient long period, therefore, office is directed that after constituting separate file with regard to surety papers furnished by the surety before this Court same may be transmitted to the trial Court for taking action against surety as per law under intimation to this Court.

JUDGE

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