

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT HYDERABAD

Criminal Acquittal Appeal No.S-63 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of MA No.2397/2021.
For hearing of main case.

05-12-2022

Mr. Abdul Hafeez Khoso advocate for appellant.

MUHAMMAD IQBAL KALHORO, J: - This acquittal appeal has been filed against impugned judgment dated 13.02.2021 in Criminal Case No.245 of 2019 arising out of a Direct Complaint filed under section 452, 506 (ii), 504 & 34 PPC rendered by Civil Judge & Judicial Magistrate-II, Nawabshah whereby respondents were acquitted of the charge.

2. I have heard learned counsel for the appellant and perused the material available on record. In this case the complainant and her witnesses claimed to have been beaten by accused but they failed to bring on record medical certificates. When complainant came in witness box, she could not stand the ground and has contradicted on various aspects of the case, as noted in the impugned judgment. Her witnesses have also not justified themselves in their evidence. More so, after acquittal double presumption of innocence runs in favour of accused which can only be dislarded on the basis of strong circumstances in evidence which in this case are lacking. No case is made for indulgence and consequently, instant criminal acquittal appeal is **dismissed** along with listed application.

JUDGE