

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.
Cr. Appeal No. D- 21 of 2021.

DATE OF HEARING

ORDER WITH SIGNATURE OF HON'BLE JUDGE

For hearing of main case.

29.4.2025.

Mr. Abdul Rehman Bhutto, advocate for the appellant.

Mr. Aitbar Ali Bullo, D.P.G.

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AMJAD ALI SAHITO-J.:-Through this appeal, the appellant/accused has impugned judgment dated 27.8.2021 passed by learned Sessions Judge/Special Judge for CNSA/MCTC, Jacobabad in C.N.S Case No.58 of 2020 Re: State v. Mehrullah Rind arisen out of Crime No.177/2020 of P.S Saddar Jacobabad registered for an offence under Section 9 (c) of CNS Act, 1997, whereby after full-fledged trial appellant/accused was convicted and sentenced to suffer R.I for three years with fine of Rs.15,000/- and in case of default in payment thereof, he shall undergo S.I for five months. However, benefit of section 382-b Cr.P.C was extended to him and being aggrieved, appellant has filed instant appeal.

During pendency of this appeal, M.A No.4877/2021 filed on behalf of appellant under Section 426 Cr.P.C was heard and decided by this Court whereby sentence awarded to the appellant by trial Court was suspended vide order dated 18.01.2022. After submitting the surety, the accused was released and thereafter he has chosen to remain absent.

Record further reflects that after grant of bail by suspension of sentence by this Court, not a single time appellant/accused appeared in Court. Resultantly notice was issued to the surety as well asailable warrants to the accused followed by N.B.Ws against him but he could not be arrested.

Since accused has jumped away the bail, therefore, instant appeal is dismissed. However, let perpetual N.B.Ws be issued against the accused Mehrullah son of Allahdad Rind. S.S.P Jacobabad is also directed to arrest the accused and send him jail to serve out remaining sentence awarded to him by trial court under impugned judgment. However, once the accused is arrested, he is at liberty to file application for restoration of this appeal.

JUDGE

JUDGE