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**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
LARKANA**

Crl. Acquittal Appeal No. S- 41 of 2020.

Appellant:

Abdul Ghani, through Mr. Tahir Abbas Shah,
Advocate.

Respondents:

1. The State, through Mr. Aitbar Ali Bullo,
Deputy Prosecutor General.

2. Muhammad Ali.

Date of hearing:

17.06.2022.

Date of judgment:

17.06.2022.

JUDGMENT

Mahmood A. Khan, J.-

This criminal acquittal appeal has been filed

in respect of F.I.R No.26/2020 registered with Police Station Mahi Makol, leading to proceedings of the Sessions Case No.152/2020, wherein after full length trial the respondent No.2 (Muhammad Ali) was acquitted. Against the said respondent it was alleged that he had made an unsuccessful attempt of abducting the minor girl of 10 years of the appellant duly armed, for murder or “Zina” in the matter.

Apart from the grounds taken in the memo of acquittal appeal under Section 417 Cr.P.C. the learned counsel contends that the learned trial Court has failed to provide a fair trial as required under Article 10-A of the Constitution Islamic Republic of Pakistan, 1973. With the assistance of the learned counsel of the appellant after going through the impugned judgment and the depositions of the witnesses it is observed that no direct evidence was available. Learned counsel for the appellant has not been able to show any contradiction to the findings as made in the impugned judgment and the depositions present on record. Apparently, there was never enough material

Mr.

available to the learned trial Court for the appellant to acquire a conviction as no eyewitness of the incident was examined.

Notice only to the Deputy Prosecutor General was ordered, who has also supported the impugned judgment.

Having heard the learned counsels and gone through the record. The findings of the learned trial Court by way of the impugned judgment are not find in variation to the depositions present let alone contradictions therefrom and in the circumstances no ground is made out to disturb the same. Accordingly, this criminal acquittal appeal is dismissed as having no merits.

Ansari


Judge