

91

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Crl. Appeal No. S- 23 of 2020.

Date of hearing	Order with signature of Judge
31.03.2022.	

1. For orders on M.A. No.767/2022.
2. For orders on M.A. No.768/2022.
3. For hearing of case.

Appellants Lal Bux, Shahzor, Zubair, Uzair, Gul Mohammad, Soomar and Haqdar are present in person on bail.

Mr. Ali Anwar Kandhro, Addl. P.G.

Mr. Nooruddin Mahessar holds brief for Mr. Sajid Hussain Mahessar, advocate for the complainant.

1 & 2. Appellants Lal Bux, Shahzor, Zubair, Uzair, Gul Mohammad, Soomar and Haqdar, all by caste Solangi, were charged and tried by the learned IInd Additional Sessions Judge, Mehar, in Sessions Case No.451/2018 re-The State V. Lal Bux & others, based upon F.I.R No.81/2018 of P.S Radhan Station, and on conclusion of trial they were convicted and sentenced as under:-

“1. All accused are convicted for offence U/S 324 PPC and sentenced to undergo R.I for (05) Five Years and to pay fine of Rs.20,000/- (rupee twenty thousands) each. In case of default they shall further undergo S.I for (03) Three Months.

2. All accused are further convicted for offence U/S 452 PPC and sentenced to undergo R.I for (03) Three Years and to pay fine of Rs.10,000/- (rupee ten thousands) each. In case of default they shall further undergo S.I for (01) One Month.

3. All accused are further convicted for offence U/S 147, 148, PPC and sentenced to undergo R.I for (06) Six Months. All the above sentences shall run concurrently.

Since it is also proved that accused have caused injuries to eye-witnesses and nature of injuries of injured Munawar Ali are declared Ghayr-Jaifah Badi'ah and injuries of injured Allah Wasayo and Munawar Ali are declared Ghayr-Jaifah Munaqqilah, therefore, they are directed to pay Daman of Rs.50000/- (fifty thousand) to each witness and they are also directed to pay Arsh to PW-

Allah Wasayo whose injuries were declared Ghayr-Jaifah Hashimah."

The appellants filed appeal before this Court against the judgment of their conviction. However, during pendency of the appeal, the appellants entered into compromise with the complainant party/injured, hence these joint applications under Sections 345(2), Cr.P.C. for permission to compound offence and under Section 345(6) Cr.P.C. for acceptance of compromise have been moved by appellants, complainant Bashir Ahmed Solangi and injured PWs Ali Anwar Solangi and Munawar Ali Solangi, respectively.

Complainant Bashir Ahmed and injured witnesses Ali Anwar and Munawar Ali are present in person. They state that they have entered into compromise with the appellants on the Holy Quran on the intervention of Nekmards, hence they have forgiven them and do not claim any compensation, Arsh or Daman etc. They have also stated that they have no objection if the compromise is accepted and the appellants are acquitted of the charge. To the above extent their affidavits are also on record.

In view of above position, permission to compromise is granted to the parties. As the matter has been compromised, therefore, the appellants are acquitted under Section 345(6), Cr.P.C. They are present on bail. Their bail bonds stand cancelled and surety(ies) discharged. The appeal in respect of appellants Lal Bux, Shahzor, Zubair, Uzair, Gul Mohammad, Soomar and Haqdar, all by caste Solangi, is disposed of in terms of compromise.

JUDGE

The above order has been complied
On.....

IN Accountant