IN THE HIGH COURT OF SINDH AT KARACHI

Cr.A No.317/2004

| Date | Order with signature of Judge |
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1.   For hearing of Main Case
2.   For orders on Nazir reort dated 12.4.2016

14.04.2016

> None present for the Appellant.
> Ms. Rahat Ahsan, D.P.G.
> SHO Ghulam Rasool Rajper, P.S Shershah.
> .-.-.-.

Report filed by SHO Ghulam Rasool Rajper, P.S Shershah, is taken on record and he undertakes to arrest the absconding accused/appellant. Since appellant has absconded and unfortunately as reported by the SHO his surety has also expired, therefore, there is no justification for appellant to be on bail without furnishing fresh surety. Beside this appellant was present in court on 02.02.2016 and he made an attempt to misguide the court by claiming that he is negotiating compromise with the legal heirs of victim. However, at his request on 02.2.2016 when his application for condonation for remaining absent on previous dates was heard even 30 days was given at his request. After 30 days case was fixed for hearing on **18.3.2016** when he did not turn up and warrant was issued to the SHO, which could not be served. Counsel for the appellant/accused has also stopped coming forward to represent him anymore. The record shows that one of the brother of appellant namely Dilawar appeared voluntarily on **4.3.2016** in this case and has informed the court that his

brother is not well so his absence on 4.3.2016 may be condoned. Today SHO has produced another brother of accused namely Ahsan, who has refused to assist the police since the appellant is not in contact with his brother for the last several years he cannot be compelled to produce his brother. Issue NBW of appellant B.W in the sum of Rs.50,000/- of his brother Dilawar who had voluntarily appeared on **4.3.2016**. I have already ordered that in case of failure of the police to arrest the appellant, the responsible officer would definitely face serious disciplinary action. Therefore fresh warrants may be issued and delivered to the SHO by tomorrow.

To come up on 25.4.2016.

JUDGE

SM