

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.

Cr.Rev.A.No.S-41 of 2000

DATE

ORDER WITH SIGNATURE OF JUDGE

25-05-2017

Mr. Shahid Ahmed Shaikh, A.P.G.

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This Criminal Revision Application is called for hearing. Neither applicant (Muhammad Ali) nor his Counsel is present. No intimation received. Same was the position on the last date of hearing viz. 5.5.2017.

It appears from the record that this Criminal Revision Application had filed on 03.6.2000 by applicant against Abdul Hameed for enhancement of sentence awarded to him vide judgment dated 04.5.2000 by the learned Ist. Additional Sessions Judge, Mirpurkhjas in Sessions Case No.107 of 1999, whereby the respondent No.1 had been convicted by the trial Court under Section 324 P.P.C and sentenced him to suffer RI for three years and to pay fine of rs.5,000/=, in case of default of payment, he shall undergo RI for six months more.

It also appears from the record that after conviction and sentence passed by the trial Court, Abdul Hameed filed criminal appeal No.51 of 2000 and in the said appeal the sentence of Abdul Hameed was suspended vide order dated 22.5.2000, whereby the appellant was granted bail subject to furnishing surety in the sum of Rs.100,000/= and required surety had been furnished by the surety. It also appears from the record that thereafter, on 31.10.2008, the respondent Abdul Hameed has been acquitted by this Court by way of compromise with Muhammad Ali (applicant) in this case vide judgment dated 31.10.2008.

In view of above, it appears that this Criminal Revision Application infact has become infructuous, which is liable to be disposed of.

Learned A.P.G has not disputed the above position. Mr. Hameedullah Dahri, advocate who has also been appointed as amicus-curie to assist this Court and he has also reiterated the same facts as narrated above.

In view of above, since respondent Abdul Hameed has been acquitted vide judgment dated 31.10.2008 by way of compromise with complainant Muhammad Ali (applicant), therefore the instant Cr.Revision Application stands dismissed being infructuous.

JUDGE

Ahmed/Pa