

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

Criminal Acquittal Appeal No.S-18 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Katcha Peshi.

22.05.2017.

Mr. Irfan Ali Bughio, Advocate for respondents No.1 to 5.
Mr. Shahid Ahmed Shaikh, A.P.G.

This Criminal Acquittal Appeal is called for hearing. Neither appellant nor his Counsel present. No intimation received. It is now 12:00 noon. Same was the position on the last two dates of hearing viz. 18.05.2017 and 19.05.2017. On 19.05.2017 following order was passed.

“None present on behalf of appellant. No intimation received. It is now 09-40 a.m. Yesterday this matter was fixed when Mr. Ayaz Ali Rajpar, Advocate, held brief on behalf of Mr. Syed Shahzad Ali Shah, Advocate for appellant, and requested for date, therefore, this matter was fixed for today with direction to the appellant to proceed the matter but today none is present. However, as an indulgence and in the interest of justice this matter is again adjourned to 22.05.2017 at 11:00 a.m. with a note of caution that in case on next date of hearing none has appeared on behalf of applicant the matter shall be decided on the basis of available material on record in accordance with law. Office is directed to issue notice of intimation to Mr. Shahzad Ali Shah, Advocate for appellant.”

This Criminal Acquittal Appeal has been filed on 10.02.2014 since then diary sheets show that the appellant is not pursuing this appeal diligently. Intimation notice was

issued to the appellant as well as his Counsel for their appearance today but as observed above none is in attendance on their behalf.

Learned Counsel respondents submits that Counsel for appellant has informed him that appellant has lost interest in the matter.

I have also gone through the material available on record with the assistance of learned APG as well as Counsel for the respondents and come to this conclusion that the impugned judgment dated 23.01.2014 has been passed by the Trial Court after due appreciation of the facts and the evidence produced on record. The finding of the Trial Court is based on evidence and well reasoned, therefore, this appeal merits no consideration which is dismissed.

JUDGE