

ORDER SHEET.
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.
Cr. Appeal No.S-184 of 2017.

DATE	JUDGMENT WITH SIGNATURE OF JUDGE
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For regular hearing.

12.09.2017.

Ms. Shahida Ghani, Advocate for the appellant.

Syed Meeral Shah Bukhari, Addl: P.G. for the State.

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J U D G M E N T.

ABDUL MAALIK GADDI,J- Through this appeal, the appellant has challenged the judgment dated 21.6.2016 passed by learned Ist. Additional Sessions Judge, Umerkot in Sessions Case No.19 of 2016 re: State v. Khair Muhammad [Crime No.06/2016 of P.S. Umerkot City] for offence under section 14 Foreigners Act, whereby he has been convicted u/s 14(2) of Foreign Act and sentenced to suffer imprisonment for two years with fine of Rs.5000/-. In case of default thereof, he shall suffer S.I. for one month more with benefit of section 382(b), Cr.P.C. It was also observed that accused Khair Muhammad is a foreigner, therefore, he should be deported from Pakistan after serving out the sentence.

2. After arguing this appeal at some length, learned counsel for the appellant does not press instant appeal on merits, if the sentence awarded to the appellant that is two years under section 14(2) of Foreign Act and also to pay fine of Rs.5000/- is reduced to one already undergone and he is set at liberty to be deported to his native country.

3. Learned Addl. P.G. does not object to the above proposition made by the learned counsel for the appellant.

4. In view of the above, the instant appeal is dismissed. However, the conviction and sentence awarded to the appellant including fine is reduced to one already undergone. He shall be released forthwith, if not required in any other case. However, after the release from the jail, the appellant shall be deported through the Home Department to his native country.

This criminal appeal is dismissed.

JUDGE.