

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

Cr. Revision application No.S- 143 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1- For orders on MA No.7171/2017
- 2- For orders on MA No.7172/2017
- 3- For orders on office objections
- 4- For Katcha Peshi
- 5- For hearing of MA No.6545/2017

10.10.2017.

Mr. Imran Ahmed Abbas Advocate for applicant

Applicant is produced in custody

Mr. Shakir Ali Talpur Advocate has filed Vakalatnama  
on behalf of complainant alongwith complainant Asif Memon

Mr. Shahzad Saleem Nahiyon APG

Mr. Inam Ali Malik Advocate as Amicus Curiae

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1- Through this criminal revision application, the applicant has assailed the legality and propriety of the judgment dated 03.8.2017 passed by the learned VII-Additional Sessions Judge Hyderabad in criminal appeal No.01 of 2017, Crime No.30 of 2013 registered U/s 489-F, 420 PPC at police station Hussainabad, whereby the learned VII-Additional Sessions Judge Hyderabad who maintained the judgment dated 19.12.2016 passed by the V-Civil Judge & Judicial Magistrate Hyderabad. For the sake of convenience the operative part of the judgment of trial court is reproduced as under:-

*" I, therefore, convict accused Ali Ahmed s/o Khuda Bux Memon under section 245(ii) Cr.P.C for an offence U/s 489-F PPC and sentence him to undergo R.I for two years and to pay Rs.40,000/- as fine. In case of default in payment of fine, the accused shall undergo further R.I for three months".*

As per record this criminal revision application is already admitted to regular hearing. Today M.A.No.7171/2017 U/s 345(2) Cr.P.C and M.A.No.7172/2017 U/s 345(6) Cr.P.C are pending for adjudication.

During the course of arguments the appellant who is produced by the Jail authorities and Complainant Asif Memon submit that they have arrived at compromise outside the court on account of intervention of nekwards in order to maintain the cordial relations in future and they have signed this application without any duress or pressure for permission to compound the offence U/s 489-F PPC.

Under these circumstances application U/s 345(2) Cr.P.C is allowed and the permission is granted to the parties to compound the offence.

2- Since the application U/s 345(2) Cr.P.C which is duly signed by the parties and they have confirmed their signatures over said application, has already been allowed whereby the permission to compound the offence is granted, therefore, under the circumstances the application U/s 345(6) Cr.P.C is also allowed as prayed. Resultantly the applicant is acquitted U/s 345(6) Cr.P.C. He is confined in jail, he shall be released forthwith if no more require in any other case. The fine amount is ordered to be remitted.

Criminal Revision application stands disposed of alongwith listed applications.

JUDGE