

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Acq. Appeal No.166 of 2017

Date	Order with signature of Judge
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1. For orders on M.A No.5052/2017
2. For hearing of Main Case

21.05.2018

None present for the appellant.
Mr. M. Dawood Narejo, advocate for the respondents.
Ms. Seema Zaidi, DPG.

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None present for the appellant, however, appellant was put on notice on **29.11.2017** that this Crl. Acquittal appeal is time barred. She sought time to properly brief on the point of limitation. Since then on the next date i.e **19.1.2018** she appeared and got the date on the ground she wants to file deposition of the witnesses, then on next date i.e **08.03.2018** she was absent then subsequently on **19.02.2018** she placed on record the deposition. However, question of limitation has not been addressed by her. I have examined the record and date of impugned judgment is **31.01.2017** and the impugned order shows that **01.2.2017** certified copies were obtained by the appellant. **Section 417(2)(a)** of Cr.P.C clearly stipulates 30 days' time for filing of an appeal against the acquittal. This appeal was present on **5.4.2017**, which means delay by 36 days. Learned counsel for the respondent relied on **2018 P.Cr.L.J 34**, which squarely covers the case of the appellant. Prosecution fairly concedes that this appeal was time barred. Learned counsel for the appellant is no present. Be that as it may, appeal is dismissed on account of time barred.

JUDGE