

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.  
Cr. Jail Appeal No.S-05 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of main case.

02.11.2020.

Mr. Urooj Naz, Advocate for appellant.

Mr. Shahzado Saleem Nahiyoona, DPG for State.

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At the very outset, it is stated by the learned counsel for the appellant that the appellant during course of his examination under Section 342 Cr.P.C wanted to examine him on oath and his witnesses in defence. On account of some pressure extended by the other side the appellant could not examine his witnesses in defence but was about to examine himself on oath to disprove the prosecution's allegation against him, learned trial Court announced the impugned judgment in that way, the appellant has been prejudiced in his defence seriously. By contending so, she sought for setting aside of impugned judgment with direction to learned trial Court to pass the same after recording statement of the appellant on oath.

Learned D.P.G for the State was fair enough to consent for remand of the case for recording statement of the appellant on oath.

In view of above, the impugned judgment is set-aside with direction to learned trial Court to record the statement of the appellant on oath and then to pass judgment afresh in accordance with law.

The instant appeal is disposed of accordingly.

Judge

