

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Crl. Rev.Appln.No.S-106 of 2020.

Date of hearing	Order with signature of Judge
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1. For hearing of M.A.No.434/2021 (345(2) Cr.PC).
2. For hearing of M.A.No.435/2021 (345(5-A) Cr.PC).
3. For hearing of M.A.No.436/2021 (345(6) Cr.PC).
4. For orders on office objection
5. For hearing of main case.
6. For hearing of MA-9234/2020.

27.01.2021

Mr. Muhammad Shafique Khan, Advocate for the applicant
Ms. Sobia Bhatti, A.P.G for the State.
Complainant Ahsan Ali in person.

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1. Granted.
2. It is alleged that the applicant dishonestly issued a cheque in favour of complainant Ahsan Ali, it was bounced when was presented before the concerned Bank for encashment. Consequently, a case for an offence punishable u/s 489-F PPC was registered against the applicant and he after due trial for the said offence was convicted and sentenced to undergo Rigorous Imprisonment for two years and fine of rupees thirty lac and in case of default to undergo Simple Imprisonment for two months with benefit of section 382-B Cr.P.C by learned VIIth Civil Judge & Judicial Magistrate, Hyderabad vide his judgment dated 16.09.2019, which was impugned by the applicant by preferring an appeal, it was dismissed by learned IIIrd Additional Sessions Judge, Hyderabad vide judgment dated 11.12.2020, which is

impugned by the applicant before this Court by preferring the instant Criminal Revision Application.

During course of hearing of instant Criminal Revision Application, the applicant entered into compromise with the complainant of this case and then filed such application for his release by way of compromise. The factum of compromise takes support from the affidavits, which have been filed by the complainant together with above said applications.

It is contended by learned counsel for the applicant that the parties have resolved their dispute outside of the Court; therefore, the applicant is entitled to his acquittal by way of compromise.

Learned A.P.G for the State and complainant in person have recorded no objection to acquittal of the applicant.

I have considered the above arguments and perused the record.

The offence is compoundable and the compromise arrived between the parties is appearing to be true and genuine, it is therefore, accepted. Consequently, applicant is acquitted u/s 345(6) Cr.P.C, for the offence, for which he was charged, tried and convicted by learned Courts below, he shall be released forthwith, if not required in any other custody case.

The instant Criminal Revision Application is disposed of accordingly together with the listed applications.

J U D G E

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