

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

Crl. Rev. Appln. No.S – 02 of 2021

DATE

ORDER WITH SIGNATURE OF JUDGE

For orders on office objection

For hearing of main case.

For hearing of MA-66/2021.

08.03.2021.

Mian Taj Keerio, Advocate for applicant.

Ms. Rameshan Oad, Assistant Prosecutor General Sindh.

====

The facts in brief necessary for disposal of instant application is that the applicant on trial was found guilty for offence punishable u/s 489-F PPC and was convicted and sentenced to undergo Rigorous Imprisonment for two years with fine of Rs.20,000/-, in default thereof, to undergo Simple Imprisonment for one month more by learned Civil Judge and Judicial Magistrate-1/MTMC, Mirpurkhas vide his judgment dated 27.11.2020. The appeal preferred by the applicant was dismissed by learned 1st Additional Sessions Judge/MCTC, Mirpurkhas vide his judgment dated 16.12.2020. It is impugned by the applicant before this Court by way of instant Revision Application and in the meanwhile he has sought for suspension of the operation of impugned judgment and his release on bail by way of listed application.

It is contended by learned counsel for the applicant that the conviction and sentence awarded to the applicant is short one and hearing of his Revision Application is not possible in near future. By contending so, he sought for suspension of the operation of the

impugned judgment and release of the applicant on bail. In support of his contention he relied upon cases of *Shah Hussain vs the State (PLD 1995 Karachi 209)* and *Khan Muhammad Mahar vs the State (2003 SCMR 22)*

Learned A.P.G for the State has recorded no objection to release of the applicant on bail pending disposal of instant Revision Application. However, none come forward on behalf of complainant to advance argument.

I have considered the above arguments and perused the record.

The conviction and sentence awarded to applicant is two years with fine which is short one; hearing of Revision Application of the applicant obviously would take time; therefore, the operation of impugned judgment is suspended. Consequently, the applicant is ordered to be released on bail subject to his furnishing surety in sum of Rs. 50,000/- and PR bond in the like amount to the satisfaction of Additional Registrar of this Court.

The listed application is disposed of accordingly.

JUDGE.