

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD  
Criminal Appeal No.S-116 of 2018

**Appellant:** Muzaffar Ali son of Muhammad Anwar  
through Mr. Abdul Hameed Bajwa, advocate.

**The State** : Through Mr. Shahzado Saleem Nahiyoon,  
D.P.G. for the State.

**Date of hearing** : 11.03.2021

**Date of decision** : 11.03.2021

**J U D G M E N T**

**IRSHAD ALI SHAH-J;** The appellant is alleged to have committed murder of his wife Mst.Seema, for that he for offence punishable u/s 302(b) PPC has been convicted and sentenced to undergo Imprisonment for life and to pay compensation of rupees two lac to the legal heirs of the deceased by learned IV Additional Sessions Judge, Hyderabad vide his judgment dated 21.04.2018, which is impugned by the appellant before this Court by way of instant appeal.

2. At the very outset, it is stated by learned D.P.G for the State that he would not be able to defend the instant appeal for the reason that SIO/SIP Umeruddin who has conducted material investigation of the case has not been examined by the prosecution. By contending so, he sought for remand of the matter for examination of SIO/SIP Umeruddin.

3. Learned counsel for the appellant readily accepted the proposal advanced by learned D.P.G for the State.

4. In view of above, the impugned judgment only to the extent of appellant is set-aside with direction to learned trial Court to record

evidence of SIO/SIP Umeruddin and then to pass fresh judgment in accordance with law in respect of appellant.

5. The instant appeal is disposed of accordingly.

**J U D G E**

Ahmed/Pa,