

ORDER SHEET
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

Criminal Appeal No.S-121of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of M.A. No.6205/2020.
2. For hearing of case.

16.07.2021

Mr.Imtiaz Ali Channa, Advocate for the appellant.
Ms. Sobia Bhatti, A.P.G for the State.

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The appellant by way of judgment dated 31.08.2020 passed by learned Additional Sessions Judge, Khipro whereby he has convicted and sentenced as under:

- i For offence punishable under section 324 P.P.C to undergo R.I for three years.
- ii For offence punishable under section 337-D P.P.C to undergo R.I. for three years and to pay Arsh rupees twenty thousand to the injured.
- iii For offence punishable under section 457 P.P.C to undergo R.I. for two years and to pay fine of Rs.5000/- and in default whereof to undergo S.I for six months. “

2. All the convictions and sentences have been ordered to run concurrently with benefit of section 382-b Cr.P.C.

3. The appellant by preferring an appeal has impugned the conviction and sentence awarded to him by preferring an appeal and in the meanwhile, by way of listed application under section 426 Cr.P.C., has sought for his release on bail pending disposal of his appeal.

4. It is contended by learned counsel for the appellant that the aggregate sentence is short one and hearing of appeal of the appellant

is likely to take time. By contending so, he sought for release of the appellant on bail pending disposal of his appeal.

5. Learned A.P.G for the State has opposed to release of the appellant on bail by contending that the hearing of the appeal would take no time.

6. I have considered the above arguments and perused the record.

7. The appellant at trial was enjoying the concession of bail; the aggregate conviction and sentence awarded to him is short one and hearing of the appeal of the appellant because of heavy pendency, obviously would take time. As per jail roll, the appellant has already undergone 10 months and 15 days of his substantial sentence and has also earned remission of 09 months. In these circumstances; a case for release of the appellant on bail pending disposal of his appeal is made out.

8. In view of above, by suspending the operation of impugned judgment, while relying upon case of *Abdul Hameed Vs. Muhammad Abdullah and others (1999 SCMR 2589)* the appellant is admitted to bail subject to his furnishing surety in sum of Rs.50,000/- and P.R bond in the like amount to the satisfaction of Additional Registrar of this Court.

9. The listed application is disposed of accordingly.

JUDGE