

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

Criminal Jail Appeal No.S-14 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
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<u>21-04-2022</u>	For further order.
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Ms. Rameshan Oad, Assistant Prosecutor General Sindh.

By order dated 25.02.2019 permission for compromise was granted and compromise application was allowed. The matte was compounded on the basis of compromise between the parties and genuineness was verified by the trial Court; however, Roshan, Ashok and Rajesh were minors aged about 17, 15, 10 years respectively, therefore, directions were issued that appellant shall pay diyat amount. On the same date, it was agitated that the appellant is poor and unable to deposit the share of minors. Since 2019 appellant is in prison due to non-payment of diyat. Under these circumstances when the parties have settled the dispute and appellant is behind the bars since 2009 almost he has served substantial sentence of 11 years and that he has earned remission of three years upto 2017. Further detention of the appellant will not serve the purpose and State shall rescue him. Accordingly, Home Secretary, Government of Sindh, shall arrange diyat amount to be paid to the legal heirs as per their share amount if they intend to receive the same after attending their age of majority and that diyat amount shall be deposited with the Accountant of this Court within one month.

In the circumstances, instant Criminal Jail Appeal is **disposed of** in terms of above with direction to release appellant immediately if he is not detained in any other custody case. office to do the needful.

Needless to mention here that liability to pay diyat amount is shifted to the State and appellant shall not be detained on that plea alone.


JUDGE