

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

Criminal Appeal No.S-186 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For hearing of M.A. No.452/2022 (345(2) Cr.P.C.
	2. For hearing of M.A. No.453/2022 (345(6) Cr.P.C.

25.04.2022

Mr. Meer Murtaza Abro, Advocate for appellant.
Ms. Sana Memon, Assistant Prosecutor General for the State.
Mr. Imdad Ali Dahri, Advocate for the complainant.

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IRSHAD ALI SHAH, J:- The appellant for committing murder of his wife Sht. Soorjan by causing her lathi blows was convicted u/s: 302(b) PPC and sentenced to undergo life imprisonment with fine of rupees one Lac and in default whereof to undergo simple imprisonment for six months with benefit of section 382-B Cr.P.C by learned Additional Sessions Judge-I/Criminal Model Trial Court Umerkot vide judgment dated 16.07.2019, which is impugned by the appellant before this Court by preferring the instant criminal appeal.

On hearing of the instant criminal appeal, the appellant entered into compromise with legal heirs of the deceased and sought for his acquittal by way of compromise by filing such applications.

The deceased on death it is said was survived by the following legal heirs;

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|----------------|---------------------|------------|
| 1. Moolo | aged about 60 years | (Father) |
| 2. Sht. Nooran | aged about 50 years | (Mother) |
| 3. Neerchan | aged about 40 years | (Brother) |
| 4. Teekam | aged about 19 years | (son) |
| 5. Lalan | aged about 18 years | (daughter) |

As per inquiry report furnished by learned trial Court, the legal heirs of the deceased being father, mother, brother son and daughter have pardoned the appellant without any coercion or compulsion by waiving their right of Qisas and

Diyat against him and such compromise is appearing to be true and voluntarily. Such fact takes support from the affidavits which they have filed before this Court.

Learned counsel for the appellant has sought for acquittal of the appellant by way of compromise which is not opposed by learned Assistant Prosecutor General, Sindh for the State and learned counsel for the complainant.

Heard and perused the record.

The compromise arrived at between the parties is appearing to be genuine, true and voluntarily. It is not objected by anyone, it is therefore, accepted in the best interest of peace and brotherhood to be prevailed between them. Consequently, the appellant is acquitted of the offence for which he has been charged, tried and convicted by learned trial Court by way of compromise. He shall be released forthwith in the present case.

The instant criminal appeal is disposed of accordingly together with listed applications.

JUDGE

Muhammad Danish*