ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Appeal No. 116 of 2018

Date | Order with signature of Judge

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1. For hearing of case.
2. For hearing of M.A. No. 1518 of 2018.

19.04.2018

Mr. Jan Muhammad, Advocate for Appellants.
Mr. Saleem Akhtar, Addl. P.G. Sindh.

At the outset, learned counsel for the appellants contends that appellants are Pakistani national and residing here since their forefathers as well they are possessing legal and valid documents which show the citizenship of appellants. Record reflects that appellants have not examined the witnesses as well have not produced documents whereas as per Foreign Act *onus of probandi* is upon the appellants. Learned counsel contends that he is ready to produce all the documents and examine the witnesses, if case is remanded back.

Learned Addl. P.G. Sindh extends his no objection.

In the interest of justice, the impugned judgment is set aside; case is remanded back to the trial Court, who shall record the statement of the appellants under Section 342 Cr.P.C. and examine their witnesses (DWs), thereafter pass fresh judgment without being influenced by the earlier judgment.

Appeal disposed of.

JUDGE

SAJID