

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Crl. Appeal No. 300 of 2017

1. **For hearing of case.**
2. **For hearing of M.A. No. 7371 of 2017.**

10.05.2018.

Mr. Muhammad Tariq Abbasi, Advocate for the Appellant.
Mr. Abrar Ali Khichi, DPG.

.....

Counsel for the Appellant contends that appellant is the only bread earner for his family and he would not press instant appeal, if conviction of the appellant is reduced to the one already undergone. Jail roll was called which reflects that appellant has served for 02 years, 05 months and 29 days including remission 23(i)(A) of Sindh Arms Act 2013. It is further contended that appellant is not a previous convict nor involved in any criminal case.

Learned DPG extends his no objection on the plea that sentence awarded to the appellant is three years and he has undergone sufficient sentence.

While considering the contentions raised by the counsel for the appellant, it is matter of fact that appellant was convicted and sentenced to suffer R.I. for 03 years with fine Rs. 10,000/- with benefit of Section 382-B, Cr.P.C. Accordingly, while considering the facts and circumstances of the case and the fact that the major portion of the sentence has already been undergone by the appellant, the impugned judgment is maintained with modification that sentence is reduced to already undergone. Appellant shall be released forthwith if not required in any other custody case.

JUDGE