

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**CrI. Acquittal Appeal No. 315 of 2019**

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DATE

ORDER WITH SIGNATURE(S) OF JUDGE(S)  
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Mr. Nafees Alam, Advocate for appellant.  
Mr. Khadim Hussain, Addl.P.G. for the State.

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**Omar Sial, J:** The appellant Rehman Ali has impugned an order dated 1-4-2019 passed by the learned 2<sup>nd</sup> Additional Sessions Judge, Karachi Central. In terms of the said order the respondents were acquitted pursuant to section 265-K Cr.P.C. from a charge under section 365-B P.P.C.

2. A brief background to the case is that an F.I.R. bearing number 332 of 2018 was registered by the appellant on 10-9-2018 alleging that the respondent no. 1 Faisal Iqbal had abducted his daughter with the intent to either marry her against her will or to subject her to illicit intercourse.

3. I have heard the learned counsel for the appellant.

4. The record reveals that the impugned order was passed on 1-4-2019 whereas the appeal was filed on 21-5-2019 i.e. after the 30 day period provided in section 417(2A) Cr.P.C. The learned counsel has attempted to justify this delay on the ground that the appellant had met with an accident on 30-3-2019 and was bed ridden till 20-5-2019. No documentary evidence of the supposed accident has been provided by the learned counsel. The ground raised by the learned counsel in support of the delay does not satisfy me that the delay was caused due to reasons beyond the appellant's control and for no fault of his. It would also not be out of place to mention that the alleged abductee, Mahnoor, voluntarily appeared and recorded her statement in the trial court that the complainant, who was then present in court, was her father and that he had registered a false F.I.R. against Faisal and others. She recorded that Faisal was her husband and that she had married him in Jampur three months ago.

5. Above are the reasons for my short order of 03.02.2020 in terms of which the appeal with the connected applications was dismissed.

JUDGE