

JUDGMENT SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

Criminal Appeal No.S-135 of 2014

For order on MA No.1744/2020.

For order on MA No.1745/2020.

For hearing MA No.9056/2017.

Appellants: Moula Bux, Lal Bux @ Laloo @ Lalan, Shahnawaz, Roshan, Deedar and Chatto though they are on bail but today called absent.

Respondents: The State through Ms. Rameshan Oad, Assistant Prosecutor General Sindh.

Date of hearing: 26.09.2022.

Date of Decision: 26.09.2022.

J U D G M E N T

Amjad Ali Sahito, J. In terms of impugned judgment dated 06.11.2014, passed by the learned trial Court/Assistant Sessions Judge, Dadu in S.C No.738/2012, crime No.14 of 2012, under sections 324, 337-A (i), 337-F (i), 337-L (ii), 147, 148, 149, 504, 114 PPC registered at PS Qasbo, the appellants were convicted for the offence under section 324 PPC and sentenced to undergo R.I. for five years and to pay fine of Rs.5000/- each and in default whereof to further undergo R.I. for one month. Appellant Lal Bux alias Laloo alias Lalan was also convicted for the offence under section 337-A (i) PPC as Ta'zir and sentenced to suffer R.I. for two years and to pay an amount in sum of Rs.10,000/- to injured Haji as Daman. However, both the sentences were ordered to run concurrently. The appellants were also extended benefit of section 382-B Cr.P.C.

2. Record reflects that during pendency of instant appeal, parties have entered into compromise and such applications are pending adjudication, therefore, I intend to dispose of the same notwithstanding that the appellants are not

in attendance today. In the compromise applications, it is stated by the complainant and injured that they have forgiven to the appellants in order to keep good brotherly and cordial relations in future and raised no objection for acquittal of the appellants. Such applications are signed by complainant Mirza Khan son of Jiwan Khan and injured Haji Bhirmani son of Jiwan Khan and filed their respective affidavits, which are duly verified by NADRA. The compromise applications are also supported with the affidavits of appellants.

3. Learned A.P.G. Sindh appearing on behalf of State contends that she has no objection for acquittal of the appellants in view of compromise arrived at between parties.

4. Since the complainant Mirza Khan and injured Haji Bhirmani have extended their no objection for acquittal of the appellants on account of settlement arrived at between them and appellants in order to keep cordial relations in future. The offence is compoundable and learned A.P.G. Sindh has extended no objection. In such circumstance, the impugned judgment is set aside and the compromise between the parties is accepted. As a result whereof, the appellants are acquitted of the charge under section 345 (6) Cr.P.C. Appellants are on bail. Their bail bonds stand cancelled and surety discharged. The office shall return surety papers to the surety [-ies] after proper verification and identification.

5. Instant Criminal Appeal preferred against the impugned judgment stands disposed of. The listed applications stand disposed of in above terms.

JUDGE