

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

Criminal Appeal No.S-102 of 2019

For order on MA No.3559 2023.

For order on MA No.3560/2023.

For order on MA No.3561/2023.

Appellants: Soomar @ Dhari and Qaisar Deth through Mr. Muhammad Rahim Gaju, Advocate.

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

Complainant: Ghulam Murtaza Detho present in person.

Date of hearing: 17.04.2023.

Date of Decision: 17.04.2023.

**J U D G M E N T**

**Amjad Ali Sahito, J.** Through the above miscellaneous applications being MA No.3560/2023, the parties have prayed to accord permission to compound the offence under section 345[2] Cr.P.C. and MA No.3561/2023 for acquittal of the appellants under section 345 [6] Cr.P.C.

**2.** Learned trial Court / Assistant Sessions Judge, Matiari convicted appellants Abdul Karim for the offence under section 337-F (vi) PPC and was sentenced them to suffer R.I. for three years and to pay daman of Rs.100,000.00 (Rupees one hundred thousand only) and in default whereof to undergo three months S.I. Against their conviction, the appellants preferred instant Criminal Appeal.

**3.** Learned counsel for the appellants states that the appellants and complainant/injured have entered into compromise and settled their dispute outside the Court on the intervention of notable persons of locality and the complainant/injured has pardoned/forgiven the appellants on

the name of almighty Allah without any fear, force and with freewill. The parties have also filed such applications under sections 345 (2) Cr.P.C. and 345 (6) Cr.P.C. supported with the affidavit of appellants and complainant duly verified by the NADRA. Complainant/injured present in person has reiterated his affidavit filed in support of compromise applications and admitted the contents thereof and his signatures to be correct and genuine. Learned A.P.G. has also raised no objection for acceptance of the compromise between the parties on the ground that for future cordial relations and betterment.

**4.** Heard and perused the record. The offence which the appellants were convicted and sentenced is compoundable. The complainant/injured has stated that out of her freewill on the intervention of nekwards of the locality in order to keep peace and good relations he has entered into compromise and forgiven/pardoned the appellants and has not claimed anything in lieu of compromise. He has raised no objection for acceptance of the compromise and acquittal of the appellants. There is also no objection raised by the learned A.P.G. Sindh. As a result what has been stated above, the compromise between the parties appears to be without pressure or coercion, as such, permission to compound the offence is accorded and impugned judgment is set-aside. The appellants are, therefore, acquitted of the charge under section 345 (6) Cr.P.C. Appellants are present on bail. Their bail bonds stand cancelled and surety discharged. Office is directed to return the surety papers to the surety [-ies] in person after proper verification and identification.

**5.** With above modification, instant Criminal Appeal preferred against the impugned judgment is disposed of along with listed applications.

JUDGE