

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

Criminal Appeal No.S-442 of 2019

For hearing of MA No.4154/2023.  
For hearing of case.  
For order on MA No.3632 / 2023.  
For order on MA No.11219 / 2019.  
For order on MA No.4155 / 2023

Appellants: Meenhon, Ali Nawaz, Rasool Bux, Tooh, Leemon, Hatim, Asif, Sahib Khan, Hakim Ali and Morial present on bail through Mr. Nawaz Ali Shar, Advocate.

Respondent: The State through Mr. Shawak Rathore, Deputy Prosecutor General Sindh.

Complainant: Saif-ur-Rehman present in person through Mr. Sher Muhammad Dahri, Advocate.

Date of hearing: 04.05.2023.

Date of Decision: 04.05.2023.

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

**Amjad Ali Sahito, J.** In terms of impugned judgment dated 21.12.2019, passed by the learned trial Court / 3<sup>rd</sup> Additional Sessions Judge, Shaheed Benazirabad in S.C. No.598/2017, emanating from a Direct Complaint filed under section 3(2) of Illegal Dispossession Act, 2005, the appellants were convicted and sentenced R.I. for seven years each with fine of Rs.20,000.00 [Rupees twenty thousand only] each and in default, they shall undergo R.I. for two months more.

**2.** During pendency of instant appeal, the parties have entered into compromise and filed the aforementioned compromise applications putting signatures/thumb impressions by the accused and complainant as well as supported with their affidavits. The complainant admits his signature on compromise applications and has raised no

objection for acquittal of the appellants as they have entered into compromise due to intervention of nekwards and pardoned the appellants in the name of Almighty ALLAH.

**3.** Since the parties have entered into compromise and complainant has admitted the contents of applications for permission to compound the offence and acquittal of the appellants and raised his no objection with his own freewill and consent and without any inducement in the name of Almighty ALLAH and the offence is compoundable. Therefore, in order to keep cordial relations and harmony between the parties in future, the permission to compound the offence is allowed under section 345 [2] Cr.P.C. Resultantly, the impugned judgment is set-aside and the appellants are acquitted of the charge under section 345 [6] Cr.P.C. They are present on bail. Their bail stands cancelled and surety [-ies] stand discharged. Office is directed to return the surety papers to the surety [-ies] after proper verification and identification.

**4.** Criminal Appeal preferred against the impugned judgment is disposed of along with listed applications.

JUDGE