

IN THE HIGH COURT OF SINDH, AT KARACHI

Criminal Jail Appeal No. 559 of 2022

Appellant: Shan Raza @ Shani through Mr. Arifullah Khan,
advocate

The State: Mr. Siraj Ali Khan Chandio, Additional
Prosecutor General for the State

Date of hearing: 18.08.2023

Date of judgment: 18.08.2023

J U D G M E N T

IRSHAD ALI SHAH, J- On arrest from the appellant, it is alleged was secured unlicensed pistol of 30 bore with magazine containing 03 live bullets of same bore, which he allegedly used for committing robbery, for that he was booked and reported upon by police. On conclusion of trial, he was convicted under Section 23(1) A of Sindh Arms Act, 2013, and sentenced to undergo rigorous imprisonment for seven years with benefit of section 382(b) Cr.P.C by learned Xth-Additional Sessions Judge, Karachi South vide judgment dated 30.07.2022, which is impugned by him before this Court by preferring the instant appeal from jail.

2. At the very outset, it is stated by learned counsel for the appellant that under instructions he would not press the disposal of the instant Criminal Jail Appeal before this Court on merits, provided the sentence awarded to the appellant is reduced to considerable extent, which is not opposed by learned Addl. PG for the State.

3. Heard arguments and perused the record.

4. The appellant is young man of 26 years of the age, said to be sole bread earner of his family, by not pressing disposal of his appeal on merits he has shown remorse as such there is likelihood of his reformation. By considering all these factors as mitigating circumstances, the sentence awarded to the appellant for the above offence is reduced to rigorous imprisonment for 02 years with fine of Rs.10, 000/- and in default whereof he would undergo simple imprisonment for 01 week with benefit of Section 382(b) Cr.P.C.

5. The instant Criminal Jail Appeal is disposed subject to above modification.

JUDGE