

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. Appeal No. 883 of 2019
(*Mir @ Wazir vs. the State*)

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of MA No.4575/2023
2. For hearing of MA No.1532/2022
3. For hearing of case
4. For hearing of MA No.14742/2019

25.08.2023

Mr. Rashid Raees, advocate for the appellant
Mr. Ghulam Muhammad, advocate for the complainant
Mr. Khadim Hussain Khuharo, Addl. PG

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It is stated by learned counsel for the appellant that the appellant has already undergone the sentence of five years awarded to him by learned trial Court and now he is in custody for want of payment of *diyat* money, which he could not pay being in jail. By stating so, he sought for release of the appellant on bail pending disposal of his appeal, which is not opposed by learned Addl. PG for the State. However, learned counsel for the complainant has opposed to release of the appellant on bail by contending that he will have to compensate the legal heirs of the deceased.

Admittedly, the appellant has served out the five years of sentence awarded to him learned trial court and now he is in jail for want of payment of *diyat* money, which obviously he could not pay while being in jail; there is no likelihood of early disposal of his appeal, as such he could not be kept in custody for indefinite period, consequently, the operation of the sentence awarded to the appellant is suspended till disposal of his appeal and he is directed to be released on bail subject to his furnishing surety in sum of Rs.100,000/- (Rupees One Lac) and PR in the like amount to the satisfaction of Nazir of this Court.

Listed application (MA No.14742/2019) is disposed of accordingly.
Adjourned to be fixed after 03 weeks for hearing of main appeal.

JUDGE