

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT
HYDERABAD

Cr. Rev. Appln. No.S-04 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
1. For orders on MA-10908/2022.	
2. For orders on MA-10909/2022.	
3. For orders on MA-10910/2022.	

02.12.2022.

Mr.Badaruddin Khoso, Advocate for applicant.
Mr. Muhammad Ali Noonari, Deputy Prosecutor General.
Complainant Muhammad Nawaz is present in person.

ORDER

1. Urgency is granted.

2&3. Through instant Criminal Revision Application, the applicant Taj Muhammad son of Fateh Muhammad Rajput has assailed the judgment dated 09.01.2022 passed by learned Additional Sessions Judge-II, Tando Muhammad Khan in Criminal Appeal No.02 of 2021, whereby learned Appellate Court has maintained the conviction and sentence of six months with fine of Rs.10,000/- recorded by learned Civil Judge & Judicial Magistrate-III, Tando Muhammad Khan (Trial Court) in Criminal Case No.19 of 2021 arising out of Crime No.01 of 2021 registered at P.S Sahikh Bhirkyo under Section 489-F PPC.

During pendency of instant criminal revision application, both the parties have filed listed applications alongwith respective affidavits and the contents of such affidavits are affirmed by the parties. The complainant namely Muhammad Nawaz is present and submits that he with core of his heart has forgiven the applicant; therefore, has filed listed applications jointly and does not want to prosecute the applicant anymore. He further submits that the amount involved in the case to some extent has been paid to him by applicant; therefore, he has no objection if listed applications are allowed and applicant is acquitted of the charge.

It appears that applicant as well complainant have jointly filed compromise applications stating therein that due to intervention of their *Nekmards* of the locality they have buried their differences and the complainant has forgiven the applicant in the name of Almighty Allah; therefore, he has no objection if the applicant may be acquitted of the charge and he does not intend to linger on the proceedings anymore. Hence, he submits that by granting listed applications instant revision application may be disposed of and applicant may be acquitted of the charge.

Learned Assistant P.G present in Court waives notice of the listed applications and records his no objection.

In view of above, it is observed that compromise entered into between the parties appears to be genuine, lawful and without any pressure or coercion from any side and that complainant has voluntarily forgiven the applicant/accused; therefore, keeping in view the cordial relations between the parties in future, the compromise application under Section 345(5) Cr.P.C is hereby granted and application under Section 345(6) Cr.P.C is accepted. Consequently, conviction and sentence recorded by the Appellate Court vide impugned judgment dated 06.01.2022 are set aside and applicant Taj Muhammad is acquitted of the charge. He is present on bail; his bail bond stands cancelled and surety is hereby discharged. Accordingly, this Criminal Revision Application is disposed of.

JUDGE

Shahid