IN THE HIGH COURT OF SINDH, AT KARACHI

Criminal Jail Appeal No. 398 of 2022

Appellant:	Shankar through Mr. Abdul Haleem Jamali, advocate
The State:	Mr. Khadim Hussain Khuharo, Additional Prosecutor General for the State
Date of hearing:	28.08.2023
Date of judgment:	28.08.2023

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 by police party of PS Mobina Town Karachi, which he was having while committing robbery, for that he was booked and reported upon. On conclusion of trial, he was convicted under Section 24 of the Sindh Arms Act, 2013, and sentenced to undergo rigorous imprisonment for seven years and to pay fine of Rs.5,000/- and in default whereof to undergo simple imprisonment for 15 days, with benefit of section 382(b) Cr.P.C by learned Xth-Additional Sessions Judge, Karachi East vide judgment dated 11.05.2022, which he has impugned before this Court by preferring the instant Criminal Jail Appeal.

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 one, which he has already undergone, which is opposed by learned Addl. PG for the State by stating that the offence which the appellant has committed is affecting the society at large.

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 the 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 said offence is reduced to rigorous imprisonment for one year with fine of Rs.5,000/-, and in default he would undergo simple imprisonment for 10 days with benefit of Section 382(b) Cr.P.C.

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

JUDGE