

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Appeal No. 793 of 2019
(*Zubair Veerani vs. The State*)

Date of hearing	Order with signature of Judge
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1. For hearing of case
2. For hearing of M.A.No.13808/2019 (u/s 426)
3. For hearing of M.A.No.13078/2022 (u/s 345(2))
4. For hearing of M.A.No.13079/2022 (u/s 345(2))

22.09.2023

Mr. Qamar Iqbal, advocate for the appellant
Mr. Zahoor Ahmed, advocate for the complainant
Mr. Khadim Hussain Khuharo, Addl. P.G for the State

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The appellant is alleged to have committed murder of Mst. Rashida by causing her dagger injuries, for that he was booked and reported upon by the police. On conclusion of trial, he was convicted under Section 302(b) PPC and sentenced to undergo imprisonment for life as *Tazir* and to pay compensation of Rs.500,000/- to the legal heirs of the deceased and in default whereof to undergo simple imprisonment for 06 months with benefit of Section 382(b) Cr.PC by learned VIIIth-Additional Sessions Judge/MCTC Karachi, West, vide judgment dated 26.10.2019 which he has impugned before this Court by preferring the instant Crl. Appeal.

On hearing of the instant Crl. Appeal, the appellant filed applications for permission to compound the offence with the legal heirs of the deceased and for his acquittal by way of compromise; those were assigned to learned trial Court for inquiry and report. On inquiry it was reported by learned trial Court vide his outward letter No.205 dated 02.09.2023 that deceased Mst. Rashida on death was survived by her husband

Muhammad Iqbal, daughter Mst. Iqra, son Sikandar and daughter Mst. Bisma and they all being adults have pardoned the appellant by waving their right of “*Qisas*” and “*Diyat*” against him.

It is contended by learned counsel for the appellant that the parties have compounded the offence on intervention of their *Nekmards*; without fear or favour and it is true and voluntarily, therefore, the appellant is entitled to be acquitted by way of compromise, which is not opposed by learned Addl. PG for the State and learned counsel for the complainant.

Heard arguments and perused the record.

The compromise arrived at between the parties is appearing to be true and voluntarily; it is without coercion or compulsion, it has not been objected by any one even on publication of its notice in Daily Ummat dated 01.08.2023; it is therefore, accepted in the best interest of the peace and brotherhood expected to be prevailed between the parties; consequently, the appellant is acquitted of the offence for which he was charged, tried, convicted and sentenced by learned trial Court, in terms of compromise by resorting to provision of section 345(6) Cr.PC and shall be released forthwith, if is not required to be detained in any other custody case.

The instant Crl. Appeal is disposed of accordingly together with the listed applications.

JUDGE