

IN THE HIGH COURT OF SINDH, AT KARACHI

Criminal Appeal No. 470 of 2023

Appellant: Tariq through Khawaja Muhammad, advocate
The State: Mr. Khadim Hussain Khuharo, Additional
Prosecutor General Sindh
Date of hearing: 11.10.2023
Date of judgment: 11.10.2023

J U D G M E N T

IRSHAD ALI SHAH, J- On conclusion of trial, the appellant was convicted u/s. 392 PPC and sentenced to undergo rigorous imprisonment for 05 years with fine of Rs.50,000/- and in default whereof to undergo simple imprisonment for 06 months with benefit of Section 382(b) Cr.PC by learned IVth-Additional Sessions Judge Karachi West vide judgment dated 04.09.2023 which he has impugned before this Court by preferring the instant Criminal Appeal.

2. At the very outset, it is stated by learned counsel for the appellant that he would not press the disposal of the instant Criminal 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 20 years of age; he is said to be sole bread earner of his family. By not pressing disposal of his appeal on merit, he has shown remorse thus there is likelihood of his reformation. By considering all the factors as mitigating circumstances, the sentence awarded to the appellant for the said offence is reduced to rigorous imprisonment for 03 years with fine of Rs.10,000/- and in case of default in payment whereof he would undergo simple imprisonment for 01 month with benefit of Section 382(b) Cr.PC.

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

JUDGE