

IN THE HIGH COURT OF SINDH, AT KARACHI

Criminal Jail Appeal No. 721 of 2022

Appellant: Faizan through Mr. Israr Ahmed Abro,
advocate

The State: Mr. Muhammad Anwar Mahar, DDPP for the
State

Date of hearing: 07.05.2024

Date of judgment: 07.05.2024

J U D G M E N T

IRSHAD ALI SHAH, J- It is alleged that on the arrest from the appellant was secured an unlicensed pistol of 30 bores with a magazine containing seven live bullets of 30 bore by the Police Party of PS Zaman Town Karachi, which he allegedly used for committing robbery, for which he was booked and reported upon. After the trial, he was convicted u/s 23(i)(a) of the Sindh Arms Act, 2013 and sentenced to undergo simple imprisonment for three years and to pay fine of Rs.50,000/- in default in payment whereof to undergo simple imprisonment for three months, with the benefit of Section 382(b) Cr.PC by learned IIIth- Additional Sessions Judge Karachi East vide judgment dated 03.11.2022 which the the appellant has impugned before this Court by preferring the instant Crl. Jail Appeal.

2. At the very outset, it is stated by learned counsel for the appellant that they would not press the disposal of the instant Crl. Jail Appeal before this Court on merits provided the sentence

awarded to the appellant is reduced to a considerable extent, which is not opposed by learned DDPP for the State.

3. Heard arguments and perused the record.

4. The appellant is a young man of 30 years of age; he is said to be the sole bread-earner of his family; by not pressing disposal of his appeal on merits, he has shown remorse thus there is a likelihood of his reformation. 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 a fine of Rs.10,000/- and in default in payment whereof he would undergo simple imprisonment for one month, with the benefit of Section 382(b) Cr. PC.

5. Subject to the above modification, the instant Criminal Jail Appeal is dismissed as not pressed.

JUDGE