

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

Criminal Appeal No.S- 169 of 2023

---

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
-------------	--------------------------------------

---

1. For hearing of MA 5446/2024.
2. For hearing of MA 5447/2024.
3. For hearing of MA 5448/2024.
4. For hearing of MA 5449/2024.

14.06.2024.

Mr. Masood Rasool Babar Memon, Advocate for appellants.  
Mr. Badal Gahoti, Advocate for complainant alongwith complainant / injured.  
Ms. Rameshan Oad, A.P.G for State.

=

1to4. In compliance of the order dated 11.06.2024, the Superintendent Central Prison, Hyderabad has produced the appellants before this Court who have filed their affidavits and also signed the compromise applications.

During pendency of instant Criminal Appeal, the parties have entered into compromise. The appellants Younis, Fahad, Hosh Muhammad, Shahid and Naveed and complainant / injured Ahsan Ali have filed the compromise applications in terms of Section 345(2) and 345(6) Cr.P.C duly supported with their respective affidavits verified by NADRA.

The complainant / injured present in Court has stated that due to intervention of the Nekomards of vicinity he has entered into compromise with appellants named above and has waived the right of Diyat, Daman, Arsh etc in the name of Almighty Allah and do not claim anything in lieu of compromise. He has raised no objection for acquittal of the appellants.

Learned counsel for complainant as well as learned A.P.G have also raised their no objection if the compromise applications are allowed and the appellants are acquitted of the charge.

Since the offences with which the appellants are charged is compoundable, the complainant / injured has also raised his no objection for acquittal of the appellants coupled with his counsel as well as learned A.P.G, as such the permission to compound the offence is accorded u/s 345 (2) Cr.P.C and the

impugned judgment dated 07.10.2023 passed by learned Additional Sessions Judge, Hala in Sessions Case No.272 of 2020 [The State v. Younis and others] arising out of Crime No.80/2020 registered at Police Station Saeedabad for offences u/s 324, 337-A(i), A(ii), A(iii), F(i), 506, 147, 148 & 149 PPC is set aside. Resultantly, the appellants namely Younis, Fahad, Hosh Muhammad, Shahid and Naveed are acquitted of charge in terms of Section 345(6) Cr.P.C. The appellants are in custody, they shall be released forthwith if they are not required in any other custody case.

The appeal stands disposed of in above terms alongwith listed applications.

JUDGE

Tufail