

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

Cr. Appeal No.S-56 of 2022

Date of hearings: 28.08.2024.
Date of decision: 28.08.2024.
Appellants: Meer and another
Through Mr. Zubair Ahmed Junejo advocate.
The State: Through Ms. Rameshan Oad, A.P.G.

J U D G M E N T

ZULFIQAR ALI SANGI, J.- The appellants have impugned their conviction and sentence awarded to them vide judgment dated 13.04.2022 passed by learned 2nd Additional Sessions Judge, Badin in Sessions Case No.382/2021, crime No.55/2021, U/S 8 of the Sindh Prohibition of Preparation, Manufactures, Storage, Sales and Use Ghutka and Manpuri Act, 2019, PS Khorwah.

2. Learned counsel for the appellants after arguing the case has submitted that appellants are the first offenders and are the only bread earners for their family; that they would not press the appeals on merits if by taking a lenient view their sentence is reduced to the period already undergone by them.

3. Learned Assistant PG has recorded no objection to this proposal.

4. I have heard the parties and perused material available on record. I am of the view that the conviction of the appellants is based on cogent reasons. As per jail roll called from the Senior Superintendent /Officer Incharge Central Prison & Correctional Facility Hyderabad appellants have served out sentence of 07 months and 27 days and earned remission of 11 months and 14 days **in total they have served sentence of 01 year 07 months and 11 days** which shows that the appellants have been sufficiently punished. The appellants are first offenders. No past criminal history against them is placed on record before the trial Court nor this Court.

5. Consequently, the conviction is maintained, however, the sentences awarded to the appellants by the Trial Court is reduced to

one which the appellants have already undergone including the fine. They are on bail, their bail bonds are cancelled and surety discharged.

6. The appeal in hand is disposed of in the terms as stated above.

JUDGE

Ali Haider