

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

Criminal Revision Application No.S-51 of 2016

Date of hearings: 02.09.2024

Date of decision: 02.09.2024

Applicant: Haji Mashooque Ali
Through Mr. Irfan Ahmed Qureshi advocate.

The State: Through Ms. Rameshan Oad, A.P.G.

J U D G M E N T

ZULFIQAR ALI SANGI, J.- The applicant impugned the judgment dated 08.03.2016 passed by learned 2nd Additional Sessions Judge Shaheed Benazirabad in Criminal Appeal No.20 of 2016, whereby he dismissed the appeal and maintained the conviction and sentence awarded to the applicant vide judgment dated 16.09.2015 passed by learned Civil Judge and Judicial Magistrate-III Nawabshah in Criminal Case No.92/2014.

2. Learned counsel for the applicant after arguing the case has submitted that applicant is the first offender and is the only bread earners for his family; that he would not press the Criminal Revision Application on merits if by taking a lenient view his sentence is reduced to the period already undergone by him.

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 applicant is based on cogent reasons. As per jail roll called from the Superintendent / Officer Incharge District Prison & Correctional Facility Shaheed Benazirabad applicant has served out sentence of 26 days which shows that the applicant has been sufficiently punished. The applicant is first offender. No past criminal history against him is placed on record before the trial Court nor this Court.

5. Consequently, the conviction is maintained, however, the sentences awarded to the applicant by the Trial Court is reduced to one which the applicant has already undergone. He is on bail, his bail bond is cancelled and surety discharged.

6. The Criminal Revision Application in hand is disposed of in the terms as stated above.

JUDGE