

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

Criminal Revision Application No.S-11 of 2024

Date of hearings: 10.09.2024  
Date of decision: 10.09.2024  
Applicants: Gul Bahar @ Baharo and others  
Through Syed Shafique Shah advocate.  
Complainant: Haider Ali Thebo in person.  
The State: Through Ms. Rameshan Oad, A.P.G.

**J U D G M E N T**

**ZULFIQAR ALI SANGI, J.-** The applicants have impugned the judgment dated 18.01.2024 passed by learned 2<sup>nd</sup> Additional Sessions Judge Tando Allahyar in Criminal Appeal No.17 of 2023, whereby he dismissed the appeal and maintained the conviction and sentence awarded to the applicants vide judgment dated 27.11.2023 passed by learned Civil Judge and Judicial Magistrate-III/MTMC Tando Allahyar in Criminal Case No.137/2023.

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

3. Learned Assistant PG and complainant present in person have 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 applicants is based on cogent reasons. The applicants were in custody when they were convicted and sentenced by the trial court on 27.11.2023 since then they are in custody and their conviction and sentence has not been suspended till date, therefore, they have served out sentence of more than one year which shows that they have been sufficiently punished. The applicants 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 applicants by the Trial Court is reduced to one which the applicants have already undergone including fine. The applicants are in jail. They shall be released forthwith if not required in any other case.

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

JUDGE