

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Criminal Acquittal Appeal No.D-42 of 2023
(Ameer Hamza & others Vs. The State & others)

1. For Orders on office objection.
2. For Orders on M.A No. 1250/2023 (Ex./ A)
3. For Orders on MA No. 1251/2023 (5 of Limitation Act)
4. For hearing of main case.

ORDER.

15-02-2024.

Mr. Anwar Ali Lohar, advocate for the appellants.

1. Over ruled.
 2. Granted.
- 3&4. It is contended by learned counsel for the appellants that the private respondents obtained their acquittal by way of compromise by making concealment of the facts that they (appellants) too were the legal heirs of the deceased; therefore such acquittal is to be examined by this Court by way of instant Crl. Acquittal Appeal. It is barred by time by 19 years. On asking, how such a long period in filing an Acquittal Appeal could be condoned? It is stated by learned counsel for the appellants that prior to filing of instant Crl. Acquittal Appeal, the appellants also filed a Crl. Misc. Application before this Court. It was also filed in the year 2023. The time spent in wrong forum could not be calculated towards limitation; consequently the instant Crl. Acquittal Appeal being time barred is dismissed in limine.

JUDGE

JUDGE