

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

CrI. Appeal No. S-153 of 2023

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA No. 7748/2023 (B.A)
2. For hearing of main case.

04.03.2024

Mr. Shabbir Ali Bozdar, Advocate for applicant
Mr. Shamsuddin N Kobhar, Advocate for complainant
Syed Sardar Ali Shah, Adl. P.G.

M.A No. 7748/2023 Through the instant application the learned counsel for the appellants seeks suspension of sentences awarded to them by the Court of learned Additional Sessions Judge Daharki in Sessions case No. 28/2023 (Re-State vs. Barkat Ali Pitafi and others) for the offence U/S 324, 337-F(ii), 337-H(ii), 114, 504, 148 r/w Section 149 PPC registered at PS Daharki, District Ghotki.

2. Learned counsel for the complainant submitted a statement which is taken on record wherein it is stated that since the parties have settled their dispute outside of the court on intervention of nekmards, therefore on the instruction from complainant party he accorded no objection if the instant application is allowed and applicants be enlarge on bail.

3. The learned Additional P.G keeping in view such statement has also recorded his no objection for grant of instant application.

4. Heard learned counsel for the parties and have gone through the material available on record.

5. From the perusal of record it appears that the appellants have been awarded sentences for seven years and to pay fine of Rs. 20000/- (Twenty thousand) each and in case default thereof they shall suffer SI for three months more with benefit of Section 382-B Cr.P.C. the appeal has been admitted for regular hearing which take some time in its decision. On the other hand learned counsel for the complainant as well as learned Adl. P.G. have conceded for grant of bail on the grounds that parties have settled their dispute outside of the Court. Both the parties registered cases against each other and complainant party was also convicted by the trial Court for 07 years and now both the parties have settled their dispute and only some conditions are remain to be fulfilled by the parties. Both the parties filed statement of no objection into the appeals. Accordingly, instant application is allowed, sentence awarded to the appellants is suspended till final disposal of appeal. The appellants Barkat

Ali son of Allah Ditto, Ghulam Abbas son of Barkat Ali, Shakas Ahmed son of Barkat Ali, Azizullah son of Qadir Bakhsh, Akbar Ali son of Qadir Bakhsh and Muhammad Asghar son of Qadir Bux all by caste Pitafi, are ordered to be released on bail subject to their furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty thousand) each and P.R bond in the like amount to the satisfaction of Additional Registrar of this Court.

6. Since the main appeal has already been admitted on its regular hearing, therefore same is adjourned to: 26.03.2024.

J U D G E