

**IN THE HIGH COURT OF SINDH, BENCH AT
SUKKUR
Criminal Jail Appeal No.S-29 of 2022**

Appellant: Sajjad @ Karo son of Sadiq Rind **through** Mr. J.K Jarwar, advocate.

The State: **Through** Mr. Shafi Muhammad Mahar, Deputy Prosecutor General.

Date of hearing 05-03-2024.

Date of decision 05-03-2024.

J U D G M E N T

IRSHAD ALI SHAH, J. It is case of the prosecution that on arrest, the appellant led to recovery of an licensed pistol of 30 bore with magazine containing two live bullets of same bore by police party of PS Naushahro Feroze, which he allegedly used for committing murder of Mst. Zahida, for that he was booked and reported upon by the police. On conclusion of trial he was convicted under Section 24 of Sindh Arms Act, 2013 and sentenced to undergo Rigorous Imprisonment for ten years with fine of Rs. 20,000/- and in default in payment whereof to undergo simple imprisonment of one year with benefit of section 382 (b) Cr.P.C by learned 1st Additional Sessions Judge Naushahro Feroze vide judgment dated 21-03-2022, which he has impugned before this Court by preferring the instant Crl. Jail Appeal.

2. At the very outset, it is stated by learned counsel for the appellant that he would not press the disposal of instant Crl. Jail Appeal on merits provided the sentence awarded to the appellant is reduced to one which he has already undergone, which is opposed by learned DPG for the State

by contending that the weapon recovered from the appellant was used for committing murder of an innocent lady.

3. Heard arguments and perused the record.

4. The appellant as per jail role has already undergone substantial sentence of 03 years, 07 months and 19 days, he is young man of 29 years of the age. By not pressing the disposal of his appeal, he has shown remorse, thus there is likelihood of his reformation. By considering all these factors as mitigating circumstances, the sentence awarded to the appellant for the said offence is reduced to one which he has already undergone, it includes the sentence which he is likely to undergo on account of his failure to pay fine.

5. The instant Criminal Jail Appeal subject to above modification is dismissed accordingly.

J U D G E

Nasim/P.A