

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**  
Criminal Jail Appeal No. S-26 of 2022  
(*Najafuddin Solangi Vs. The State*)

Date of hearing	Order with signature of Judge
-----------------	-------------------------------

1. For hearing of M.A No.690 /2023 (345 (2) Cr.P.C)
2. For hearing of M.A No. 691/2023 (345 (6) Cr.P.C)
3. For Orders on MA No. 1150/2024 (426 Cr.P.C)
4. For hearing of main case.

**12-03-2024.**

Mr. Iftikhar Ali Bhatti, advocate for the appellant.  
M/s Deedar Ali M. Chohan and Deen Muhammad Chang,  
Advocate for legal heirs of the deceased  
Syed Sardar Ali Shah Rizvi, Additional P.G for the State

-.-.-.-.-

It is the case of the prosecution that the appellant with one more culprit in furtherance of their common intention committed murder of his wife Mst. Anwar Khatoon @ Farzana by alleging her to be *Kari*, for that he was booked and reported upon by the police. On conclusion of trial, he was convicted u/s 302(b) PPC as *Tazir* and sentenced to undergo rigorous imprisonment for life and to pay compensation of Rupees two lacs to the legal heirs of the deceased and in default in payment whereof to undergo simple imprisonment for 06 months with benefit of section 382 (b) Cr.P.C. By awarding no punishment to the appellant for offence punishable under section 311 PPC, he impliedly was acquitted under allegation for such penal section by learned Additional Sessions Judge Gambat vide judgment dated 31-03-2022, which the appellant has impugned before this Court by preferring the instant Criminal Jail Appeal.

2. On hearing of the instant Criminal Jail Appeal, the appellant filed applications for permission to compound the offence with the legal heirs

of the deceased and for his acquittal by way of compromise; those were assigned to learned trial Court for inquiry and report.

3. On inquiry it was reported by learned trial Court; that deceased Mst. Anwar Khatoon @ Farzana being issueless, on her death was survived by her father Gulab Khan and mother Mst. Ajma; both of them have pardoned the appellant by waving their right of "*Qisas*" and "*Diyat*" against him by recording such statements.

4. It is contended by learned counsel for the appellant that the parties have compounded the offence on intervention of their *Nekmards*; without fear or favour and it is true and voluntarily, therefore, the appellant is entitled to be acquitted of the charge by way of compromise, which is not opposed by learned Additional P. G for the State and learned counsel for legal heirs of the deceased.

5. Heard arguments and perused the record.

6. The compromise arrived at between the parties is appearing to be true and voluntarily; it is without coercion or compulsion, it has not been objected by anyone; it is, therefore accepted in the best interest of the peace and brotherhood expected to be prevailed between them; consequently, the appellant is acquitted of the offence for which he was charged, tried, convicted and sentenced by learned trial Court, in terms of compromise by resorting to provisions of section 345(6) Cr.PC and he shall be released forthwith, if is not required to be detained in other custody case.

7. The instant Crl. Jail Appeal is disposed of accordingly together with the listed applications.

**Judge**

*Nasim/P.A*