

*ORDER SHEET*  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD.

Criminal Appeal No.S- 88 of 2014

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DATE	ORDER WITH SIGNATURE OF JUDGE
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28.02.2022.

Mr. Ghulam Abbas, Advocate for appellant.  
Mr. Shahzad Saleem Nahiyoon, Additional P.G. for State alongwith ASI  
Manzoor Ali Panhwar PS Khudabad.  
One Muhammad Younis, son of appellant is present.

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Muhammad Yousuf appellant was tried by learned Additional Sessions Judge, Tando Muhammad Khan in Sessions Case No.925/2009. Vide judgment dated 30.08.2014, appellant was convicted u/s 320 PPC and sentenced to 10 years RI and to pay Diyat amount of Rs.21,74,577/- to the legal heirs of deceased Qazi Najamuddin, Mst. Nayab and minor Sajjad Ali. In case of default in payment of Diyat amount, he was ordered to suffer simple imprisonment till the payment of Diyat amount.

Appellant preferred appeal. It was admitted for regular hearing. During pendency of the appeal this court vide order dated 17.09.2014 suspended the sentence of appellant and after furnishing required surety he was released. It is stated that during pendency of the appeal, appellant has expired. Mr. Ghulam Abbas, learned advocate for appellant today has filed a statement showing that the appellant has expired on 20.01.2022. ASI Manzoor Ali Panhwar PS Khudabad has also reported that appellant has expired about 40/45 days ago.

In the view of above, appeal filed by appellant Muhammad Yousuf is abated. However, fine shall be recovered in terms of Section 431 Cr.P.C from the assets left by the appellant / deceased in accordance with law.

JUDGE

Tufail