

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

Criminal Revision Application No.S-183 of 2017

Date of hearings: 01.10.2024  
Date of decision: 01.10.2024  
Applicants: Ashique alias Dangai and others  
Through Imam Ali Chang advocate.  
The State: Through Mr. Irfan Ali Talpur APG.

**J U D G M E N T**

**ZULFIQAR ALI SANGI, J.-** The applicants have impugned the judgment dated 24.10.2017 passed by learned Sessions Judge Tando Muhammad Khan in Criminal Appeal No.06 of 2017, whereby he dismissed the appeal and maintained the conviction and sentence awarded to the applicants vide judgment dated 24.05.2017 passed by learned Civil Judge and Judicial Magistrate-IV Tando Muhammad Khan in Criminal Case No.05/2017. The applicants were convicted and sentenced u/s 392 PPC to RI for three years and to pay fine of Rs.20,000/- each, in default of payment further to undergo for 06 months. They were also convicted and sentenced u/s 411 PPC to RI for 02 years.

2. Learned counsel for the applicants after arguing the case has submitted that applicants are the first offenders and are the only bread earners for their family; that they would not press the Criminal Revision Application on merits if by taking a lenient view their sentence is reduced to the period already undergone by them.

3. Learned Assistant PG has recorded no objection to this proposal.

4. I have heard the parties and perused material available on record. After re-assessment of the evidence produced by the prosecution, I am of the view that the conviction of the applicants is based on cogent reasons. As per jail roll called from the Senior Superintendent / Officer Central Prison Correctional Facility Hyderabad applicant Ashique @ Dangai has served out sentence of 09 months and 23 days and earned remission of 03 months and 04 days **in total he has served sentence of 12 month and 27 days** and applicant Faisal has served out sentence of 07 months and 26 days and earned remission of 03 months **in total he has served sentence of 10 month and 26 days** which shows that the applicants have been sufficiently punished. The applicants are first offender. No past criminal history against them is placed on record before the trial Court nor this Court.

5. Consequently, the conviction is maintained, however, the sentences awarded to the applicants by the Trial Court is reduced to one which the

applicants have already undergone. They are on bail, their bail bonds are cancelled and surety discharged.

6. The Criminal Revision Application in hand is disposed of in the terms as stated above.

JUDGE

Ali Haider

