

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

Cr. Rev. Application No.S-166 of 2015

Mst. Nighat Jabeen & anotherApplicants

Versus

Abdul Razzaque & Others.....Respondents

Ghulam Sarwar Qureshi, advocate for applicants

Date of Hearing : 04.11.2024.

ORDER

YOUSUF ALI SAYEED, J - The Applicants have preferred this Criminal Revision Application on 21.09.2015 so as to impugn the judgment rendered by 1st Additional Sessions Judge Badin on 29.06.2015 in Criminal Complaint No.06 of 2014 filed by them under Section 3 and 4 of Illegal Dispossession Act, whereby the Respondents Nos.1 and 2 were acquitted from the charge under Section 265-H(i) CrPC upon being extended the benefit of reasonable doubt.

On query posed to learned counsel as to how a revision was competent when an acquittal appeal lay in the matter, he placed reliance on the judgments rendered by the Supreme Court in the cases reported as Shaikh Muhammad Naseem vs. Mst. Farida Gul 2016 SCMR 1931 and Waqar Ali and others vs. The State through Prosecutor/ Advocate General Peshawar and others PLD 2011 SC 181 as well as judgment of this Court rendered in the case reported as Ali Murad alias Jameel vs. Muhammad Juman and 4 others 2017 YLR Note 42.

Having considered the matter, it is discernible that the judgments cited are no avail to the applicants as they proceed on a different plane and do not address the point at hand, which is covered under Section 439(5) Cr PC. Under the circumstances, the Revision stands dismissed accordingly.

JUDGE