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ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Cr. Acquittal Appeal No. D- 15 of 2016

Date	Order with signature of Hon'ble Judge

1. For orders on office objection as flag A
2 For katcha peshi

10.8.2017.

Mr. Safder Ali Ghouri, advocate for the appellant

Mr. Khadim Hussain Khoonharo, D.P.G

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This is a Criminal Acquittal appeal against judgment dated 31.8.2016 passed by the learned 1st Additional Sessions Judge, Mehar in Sessions Case No.122 of 2013 arising out of Crime No.288 of 2012 of P.S Mehar U/S 302 PPC whereby all the accused have been acquitted U/S 265-H(I) Cr.P.C.

Learned counsel for the appellant submits that there was enough circumstantial evidence to implicate the accused in the shape of mobile calls and relevant material, which learned trial Court has failed to consider and therefore, the impugned order is bad in law and he has made out case in support of his case against impugned judgment.

Learned D.P.G has supported the impugned judgment as according to him the witnesses during their cross examination have admitted that deceased was not with them therefore, the impugned judgment is correct in law and this appeal be dismissed.

We have heard the learned counsel for the appellant and learned D.P.G. On the first date of hearing, no notice was issued to the private respondents except learned D.P.G for State to seek assistance. On perusal of the impugned judgment, it appears that after discussing the entire evidence led by the prosecution, the learned trial Court has come to