

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

Cr. Rev. Appln: No.S-83 of 2014.

DATE	ORDER WITH SIGNATURE OF JUDGE
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	For Katcha peshi. For hearing of MA-2613/14.
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02.06.2014.

Mr. Abdul Sattar Luhrani, Advocate for the applicants.
Mr. Mushtaque Ahmed Abbasi, DDPP.

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1. Let this Cr. Rev: application be admitted for regular hearing.
Adjourned to 7.7.2014.

2. Today the matter is fixed for hearing of application under section 435, Cr.P.C, whereby the suspension of sentence of the applicants and their release on bail is sought by the learned counsel for the applicants. He has argued that the sentence is short one being only one year and the applicants were on bail even before the appellate Court where before dismissal of their appeal they were granted bail by the Court. He has further argued that due to backlog of the work it is not possible that in near future hearing of criminal Revision application will take place. In support of his submissions, he has relied upon the case law reported in 2005 P.Cr.L.J.657.

On the other hand, learned DDPP appearing on behalf of the State has opposed the grant of this application on the ground that there is issue of maintainability in the present revision application and the whole revision application shall be heard on merits without attending to this application.

I have heard both the learned counsel for the parties and perused the record. The learned DDPP though raised the issue of

maintainability but did not point out as to under what the law the revision application is not maintainable before this Court.

Admittedly, the sentence is short, being one year, the jail roll shows that out of one year, the applicants have remained in jail for 2 months and one day, the jail roll was provided by the jail authorities on 10.5.2014 twenty two (22) more days have passed since this jail roll was received. The arguments of the learned counsel for the applicants appear to be reasonable that due to backlog of work it is not possible to hear this criminal revision application in near future and there is likelihood that entire period of conviction would lapse before the application is heard to decide its fate. While attending to the above circumstances, I allow the application under section 435, Cr.P.C, resultantly suspend the sentence of the applicants subject to their furnishing solvent surety in the sum of Rs.50,000/-(Rupees fifty thousand) each and PR bond in the like amount, to the satisfaction of Additional Registrar of this Court.

JUDGE.

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

Cr. Rev. Appln: No.S-82 of 2014.

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Katcha peshi.
For hearing of MA-2616/14.

02.06.2014.

Mr. Abdul Sattar Luhrani, Advocate for the applicants.
Mr. Mushtaque Ahmed Abbasi, DDPP.

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1. Let this Cr. Rev. Application be admitted for regular hearing.
Adjourned to 7.7.2014.

2. Today the matter is fixed for hearing of application under section 435, Cr.P.C, whereby the suspension of sentence of the applicants and their release on bail is sought by the learned counsel for the applicants. He has argued that the sentence is short one being only one year and the applicants were on bail even before the appellate Court where before dismissal of their appeal they were granted bail by the Court. He has further argued that due to backlog of the work it is not possible that in near future hearing of criminal Revision application will take place. In support of his submissions, he has relied upon the case law reported in 2005 P.Cr.L.J.657.

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JUDGE.