

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

Cr. Revision Application No.D-01 of 2025.

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objection "A".
2. For hearing of main case.
3. For hearing of M.A No.419/2025 (S/A)

27-02-2025

Mr. Abdul Baki Jan Pathan, Advocate for the Applicant.

Mr. Muhammad Noonari, DPG for the State.

The grievance of the applicant is that Mashooque Ali Shar PW-1 and Nazar Muhammad Malak, PW-2 were examined and when their cross-examination commenced, which could not be concluded on that particular date and hence was reserved for further cross. On the very next date i.e 21.11.2024, learned counsel was not present and in his absence, the trial court appointed a counsel on State expense and asked him to conclude the cross-examination of the witnesses. Learned DPG submits that because a counsel appointed at State expense has cross examined the witnesses, there is no cause for grievance. We most respectfully disagree with the contention of the learned DPG. The right for fair trial is a fundamental right enshrined in the constitution. Learned counsel who was engaged by the applicant should have been given an opportunity to conclude the cross-examination. We are noticing in many cases that trial courts in a effort to very quickly conclude the trial are perhaps not ensuring that the accused is given a fair trial and that the fair procedure is followed. We are of the view that it would be fair and just in the circumstances that Mr. Abdul Baqi Jan Kakar is permitted to cross examine the PW-1 Mashooq Ali Shar and PW-2 Nazar Muhammad Shar.

Judge