

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Cr. Rev.A.No.S-126 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on MA-2267/2025

27.03.2025.

Mr. Shoukat Ali Kaka, advocate for appellants
Ms. Safa Hisbani, A.P.G.

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Urgency granted.

It is contended by learned counsel for the appellants that conviction and sentence of three years so awarded to the appellants is impugned before this Court and that the appellant No.1 is behind the bar since 13.01.2024 while appellant No.2 is in jail since 22.08.2024. He further contended that the offence even otherwise does not fall within the ambit of prohibitory clause of section 497 Cr.P.C and half sentence has already been served by them while appeal is pending since September, 2024. He urged that the conviction and sentence which is recorded against appellants is short one and hearing of his appeal is likely to take some time. By contending so, he sought for the release of the appellant on bail while granting application u/s 426 Cr.P.C (M.A.No.10272/2024) subject to furnishing surety . In support of his contention he relied upon case of *Naeem and others vs The State (2001 P.Cr.L.J 541)*.

Learned A.P.G has opposed to grant of bail to the appellants by contending that no time would be consumed in hearing of the appeal of the appellants.

I have considered the above arguments and perused the record.

Admittedly, the conviction / sentence awarded to the appellants is short one, which is also impugned by the appellants by way of preferring this appeal, it is admitted to regular hearing, its hearing of course is likely to take some time. In that situation, a case for release of the appellants on bail by suspending the operation of impugned judgment obviously is made out.

Consequently, the operation of impugned judgment is suspended, the appellants are ordered to be released on bail subject to their furnishing surety in sum of Rs.50,000/-each and PR bond in the like amount to the satisfaction of Additional Registrar of this Court.

Instant listed application (M.A.No.10272/2024) is disposed of accordingly.

JUDGE

Ahmed/Pa,