

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Criminal Acq. Appeal No.S-109 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A.No. 230/2025 (U/A).
2. For orders on office objections at flag "A".
3. For orders on M.A.No. 6713/2024 (E/A).
4. For hearing of main case.

22.01.2025 ==

Mr. Sajid Hussain Mahesar, Advocate for the Appellant.

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ORDER

Omar Sial, J.:- This is an acquittal appeal, seeking a review of the Order dated 15.10.2024, passed by learned Civil Judge and Judicial Magistrate-II, Dokri in Criminal Case No.141/2024. Mr. Sajid has argued at length in an effort to convince the Court that leave to appeal should be granted.

2. I have gone through the Order with the assistance of Mr. Mahesar and notice that the acquittal was under section 249-A Cr.P.C. Mr. Mahesar has urged that the learned trial Judge acquitted the accused without recording evidence and the complainant was also not given an opportunity to engage a counsel. The ground raised by Mr. Mahesar in the ordinary course requires consideration; however, I have gone through the reasons of the learned trial Judge and the reason the learned Judge was swayed to acquit was that even though this is a case alleging injury to the complainant sustained at the hand of the applicant, yet neither did the complaint go for medical treatment nor was examined by the doctor nor was he in possession of a medical certificate to show that he was even injured. In such a situation, the fate of the applicant would in all probability have been an acquittal; in any case there was no point for extending the trial when the basic evidence was admittedly not present. As this is an acquittal appeal, deeper analysis of the evidence can only take place after the same is admitted. I find no illegality in the said order nor do I find it to be capricious or arbitrary.

3. Given the above, a case to admit the appeal is not made out; hence the same is dismissed.


Judge