

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Spl. Cr. Jail Appeal No. D-64 of 2024

Before:

Mr. Justice Amjad Ali Bohio, J.

Mr. Justice Khalid Hussain Shahani, J.

Appellant : Ayaz Ali son Qadir Bux, Bhutto
Through Mr. Rukhsar Ahmed Junejo, Advocate

The State : Through Mr. Mansoor Ahmed Shaikh, DPG

Date of Hearing : 02.12.2025
Date of Judgment : 02.12.2025

J U D G M E N T

KHALID HUSSAIN SHAHANI, J.— Through this Spl. Criminal Jail Appeal, the appellant Ayaz Ali, has impugned the judgment dated 30.04.2024 passed by learned Sessions Judge/Special Judge (CNS), Sukkur in Spl. Case No.16/2024, *Re- (The State v. Ayaz Ali Bhutto)*, for offence under Section 9(1), 1(b) of CNS (Amendment Act-2022) arising out of Crime No.187/2023, registered at Police Station C-Section Sukkur, for recovery of 1020 grams of hemp (*bhang*). The appellant was tried and found guilty therefore, he was sentenced through the impugned judgment to undergo R.I for three years and to pay fine of Rs.10,000/- (Ten Thousand Rupees) or in default of it to suffer S.I for one month more. Benefit of Section 382-B Cr.P.C was also extended to the appellant.

2. Learned counsel for appellant has made submission, according to which neither the entry of the *malkhana* was produced nor the *malkhana* Incharge was examined in the matter. Learned DPG for the State, concedes that the said element exists; hence, he does not oppose the disposal of the matter in case the appeal is disposed of on the basis of punishment already undergone. Ordered accordingly. Let the appellant Ayaz Ali Bhutto be released in aforesaid crime from jail, if not required in any other criminal case.

3. Appeal stands disposed of.

J U D G E

J U D G E