

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,  
LARKANA**

**Criminal Jail Appeal No.S-07 of 2020**

**Imtiaz Ali and another  
V/S  
The State**

Appellants:	Through Mr. Safdar Ali Kanasiro, Advocate.
State:	Through Mr. Ali Anwar Kandhro, Additional Prosecutor General, Sindh.
Date of Hearing:	17.02.2025
Date of Decision:	17.02.2025

**JUDGMENT**

**Omar Sial, J.-** Appellants Imtiaz Ali and Sajjad Ali both sons of Manzoor Ali Mangnejo, have impugned the Judgment dated 02.01.2020, passed by learned First Additional Sessions Judge/MCTC, Kamber in Sessions Case No.241/2016, arising out of F.I.R. No.17/2016, under sections 302, 34 registered at Warrah Police Station.

2. Learned counsel for the appellants had just started reading the paper book when my attention has been drawn by the learned Additional Prosecutor General towards Section 342 Cr.P.C. statement. The very purpose of section 342 Cr.P.C. statement is that the accused is confronted with the evidence, which has come on record against him and that he is given an opportunity to give his version on each piece of the evidence. Regrettably in a number of cases long drawn out questions, if they can even be termed as questions, are being put to an accused, which no common man let alone a man who is illiterate can even understand. Recording of the Section 342 Cr.P.C. statement is a very important part of the trial, but sadly it is neglected by many trial courts. The learned trial Court is directed to breakdown the section 342 Cr.P.C. Statement into a smaller understandable question to be put to



78

the appellant in a language that he understands. Learned trial Court shall also ensure that no reproduction of evidence takes place.

3. Both the learned counsel for the appellants as well as the Additional Prosecutor General submit that in the interest of justice it would be appropriate if the case is remanded back to the learned trial Court for afresh recording of the Section 342 Cr.P.C. statement as well as to ensure that no testimony has been reproduced for any witness. If testimonies have been reproduced both witnesses should be called and examined again, if they have not been reproduced, the section 342 Cr.P.C. statement shall be re-recorded and a fresh judgment rendered thereafter. Let a copy of this order be sent to the learned trial Court.

4. Case is remanded back with the above observations.

**JUDGE**