

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Present: Justice Jawad Akbar Sarwana

Criminal Revision No.S-78 of 2025

Applicant : Ali Akber s/o Syed Murad Ali Shah
Through Mr.Ayatullah Khuwaja, Advocate

Complainant : Mumtaz Ahmed Jakhro s/o Qurban Ali
Through Mr.Safdar Hussain Laghari, Advocate

The State : Through Ms.Safa Hisbani, Assistant Prosecutor
General

Date of hearing : **23.12.2025**

Date of decision : **23.12.2025**

ORDER

JAWAD AKBAR SARWANA, J: Through the instant Revision Application, the applicant Ali Akbar has assailed the judgment dated 20.08.2025 passed by the learned VII-Additional Sessions Judge, Hyderabad in Criminal Appeal No.11/2025, whereby the appellate Court upheld the conviction awarded to the applicant by the learned Civil Judge and Judicial Magistrate-I / Model Trial Magistrate Court-II, Hyderabad in Criminal Case No.1458/2023, arising out of Crime No.129/2023 registered at Police Station Tando Jam, Hyderabad under Section 489-F, P.P.C. The applicant was convicted for the said offence and sentenced to undergo simple imprisonment for two years and to pay a fine of Rs.25,000/-. In case of default in payment of fine, he was directed to undergo further simple imprisonment for three months, with the benefit of Section 382-B, Cr.P.C., if he had remained an under-trial prisoner.

2. On 28.10.2025, learned counsel for the applicant filed statement attaching a copy of Pay Order No. 00040000001456 dated 28.10.2025 for an amount of Rs.2,500,000/- (Rupees Two Million and

Five Hundred Thousand) and Cheque No. 10112721 dated 04.12.2025 for an amount of Rs.2,300,000/- (Rupees Two Million and Three Hundred Thousand). Learned counsel for the complainant raised no objection to the grant of concession of bail to the applicant under Section 426, Cr.P.C, where-after, application (M.A No.7456/2025), was allowed. Consequently, the sentence passed in the judgment dated 22.07.2025 in Criminal Case No. 1458 of 2023, arising out of Crime No. 129 of 2023 registered under Section 489-F, P.P.C., at Police Station Tando Jam, Hyderabad, was suspended till the next date of hearing and the applicant was granted the concession of bail, subject to his furnishing solvent surety in the sum of Rs. 50,000/- (Rupees Fifty Thousand) and a P.R. bond in the like amount to the satisfaction of the Additional Registrar of this Court.

3. Following the above-mentioned facts the total outstanding amount of Rs.4.8 million stood reduced to Rs.2.3 million, for which amount the applicant/accused had handed over to the complainant the post-dated cheque dated 04.12.2025. Thereafter, on 09.12.2025, learned Counsel for the complainant/University filed Statement, stating that the applicant/appellant had paid and cleared the outstanding amount against him through Demand draft and the amount had been transferred in the University account, as such nothing outstanding against the accused/applicant and the University authorities had no any grievance against the applicant/accused in the present Crime No.129/2023. The note of Registrar of the University dated 08.12.2025, attached with the above statement, states as follows: -

“Approved. In view of the full and final settlement of the outstanding dues through Pay Orders, the University has no objection to the disposal of Criminal Revision No.78 of 2025 and Summary Suit No.5-A of 2024 in light of the settlement already made. Necessary action may be taken accordingly.

Registrar”

4. Today, the complainant Mumtaz Ahmed Jakhro and applicant Ali Akbar, who is on bail, are present in Court and submit that they

have amicably resolved the matter with each other on the intervention of the nekmarks of the locality. In this regard, both parties have jointly filed applications under Sections 345(2) and 345(6) Cr.P.C., accompanied by affidavits duly sworn by them. The same are taken on record and the Office shall assign numbers accordingly.

5. Learned Assistant Prosecutor General waives notice of the compromise applications and states that she has no objection if the compromise effected between the parties is accepted and the applicant is acquitted of the charge.

6. Upon a specific query of the Court, the complainant present in Court reiterates that he has voluntarily entered into compromise with the applicant/accused without any pressure, coercion, or inducement. He states that the compromise has been effected through the intervention of the nekmarks of the locality and that he has forgiven the applicant in the name of Almighty Allah. He further affirms that he has no subsisting grievance against the applicant/accused and has no objection if the compromise is accepted and the applicant is acquitted.

7. In view of the above statements and upon perusal of the record, it appears that the compromise entered into between the parties is genuine, voluntary and free from any element of duress. The complainant is legally competent to compound the offence. Considering the interest of maintaining cordial relations and ensuring peace and harmony between the parties in future, the application under Section 345(2), Cr.P.C. is allowed. Consequently, in terms of Section 345(6), Cr.P.C., the applicant/accused is acquitted of the charge. The applicant/accused is present on bail. His bail bond stands cancelled and the surety is discharged.

8. The instant Revision Application stands disposed of in the above terms.

JUDGE