

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANO

Cr. Misc. Appln. No.S- 132 of 2024

Date of hearing	Order with signature of Judge
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1. For orders on office objection-A.
2. For hg. of main case.

03.06.2024

Mr. Abid Hussain Kalhoro, Advocate for the Applicant.

Mr. Khaleel Ahmed Maitlo, Deputy Prosecutor General, Sindh.

Office objection overruled as Counsel for the Applicant along with Deputy Prosecutor General, Sindh, has been heard.

Learned Counsel for the Applicant part from the grounds taken in the memo states that primarily as sufficient material was not present as such the classification of disposal was incorrect in the first place and as such the matter was disposed of in 'B' class instead of 'C'. Learned Deputy Prosecutor General, Sindh, also does not oppose the said request. Without going into unnecessary details the alleged incident said to have taken place on 15.08.2023 whereas the DNA having negative result was acquired after much delay and as such in the said circumstances prima facie support of circumstantial medical evidence was not available. The case was liable to be considered for 'C' class on account of insufficient material to acquire consideration. Accordingly, the impugned order is varied to the extent that the matter stands disposed of as 'C' Class and in consequence thereof the proceedings under section 182 PPC shall not be available.

Matter stands disposed of in the above terms.


JUDGE

S Ashfaq/-