

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Acquittal Appeal No. S- 54 of 2024

Date of hearing	Order with signature of Judge
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- 1. For orders on office objections.
- 2. For hearing of MA No.2083/2024 (Ex)
- 3. For hearing of main case.

04.10-2024.

Syed Zaffar Ali Shah, Advocate for appellant.
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Learned counsel for the appellant in respect to the question raised in the diary dated 26.09.2024 has referred to the statement of the accused contending that the recovery element was not brought up against the accused, however, in this regard the specific question of recovery is found present. Thereafter learned counsel for the appellant referred to the charge contending that same was not proper. Unfortunately the charge element does not give any benefit to the complainant as at best a accused can take benefit therefrom for the reason that the purpose of charge is to describe the case of accused against him. It may be observed that Courts of law require definite evidence to come to a conclusion of conviction and without the said element of proof which is in Criminal Jurisdiction required to be beyond reasonable doubt conviction is not available. Irrespective to the efforts made by learned counsel, no material has been shown whereby it may be considered that the learned trial Court has made out the judgment /order impugned in the matter in variation to the evidence and material on record requiring the same to be disturbed. This Criminal Acquittal Appeal accordingly stands dismissed in limine.

J U D G E

