

ORDER SHEET
THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Crl. Appeal No.S-72 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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21.10.2026

Mr.Khalid Hussain Lakho, D.P.G for the State

The record reflects that the appellant, Manak has already served out the entire sentence awarded to him. The jail roll received from the prison concerned further shows that he was released on 10.05.2023 on completion of his sentence.

It is further borne out from the record that since 10.05.2023 the appellant has not been in attendance and the instant appeal has remained unattended. Notice was issued to the appellant requiring his appearance before this Court; however, despite such notice, he has neither appeared nor approached this Court to pursue the present appeal. His continued non-appearance, coupled with the fact that the sentence under challenge has been served in full and he stands released from custody, leaves no subsisting practical relief for him to pursue in the present proceedings.

In **Gul Muhammad and another v. Muhammad Afzal and others (2007 SCMR 1410)**, the Honourable Supreme Court, upon being informed in Criminal Appeal No.450 of 2000 that the appellant/convict had served out his sentence, dismissed the appeal as infructuous.

More recently, the Honourable Supreme Court adopted the same course in **Usman Ahmed and another v. The State through Advocate General, Islamabad (2025 SCMR 1442)**. In Criminal Appeal No.567 of 2020, the Court noted from the report of the Superintendent, Central Jail, that the appellant, Hamza Jahangir, had served out his sentence and had been released from jail; as none appeared on his behalf, the appeal, having become infructuous, was dismissed. The operative order likewise records that, upon completion

of the sentence, release from prison and non-appearance on behalf of the appellant, the appeal was dismissed as infructuous.

Reference may also be made to **Amir Khan and others v. The State and others (2002 SCMR 403)**, wherein the appellants had served out their entire sentences and had been released; their appeal was not pressed and the Honourable Supreme Court disposed of the connected appeals as having become infructuous. The order records that, following completion of the sentences and release of the appellants, the appeals were disposed of as infructuous.

In the present case, the appellant has likewise served out his entire sentence and was released on 10.05.2023. Despite notice, he has chosen neither to appear before this Court nor otherwise to pursue the appeal. In these circumstances and following the principles reflected in 2007 SCMR 1410, 2025 SCMR 1442 and 2002 SCMR 403, no useful purpose would be served by keeping the present appeal pending. Accordingly, the instant Criminal Appeal, having become infructuous, is **dismissed** as such.

JUDGE

AHSAN K. ABRO