

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CR. APPEAL NO. 337 / 2013

ORDER WITH SIGNATURE OF JUDGE

For hearing of M.A. No. 8897/2013.

9.1.2014.

Mr. Abdul Karim Junejo for appellant.
Mr. M. Iqbal Awan APG.

It appears that the main FIR bearing No. 449/2013 under Sections 353/324/34 PPC, was registered against the present accused and others, and in that crime the present accused has been acquitted by the learned IInd Additional Sessions Judge, Karachi East Suo moto under Section 265-K Cr.P.C. Learned counsel for appellant states that the learned trial court i.e. VIIIth Assistant Sessions Judge, Karachi East before whom the case was transferred in respect of Section 23-A of the Sindh Arms Act, 2013 has concluded the trial in haste within a period of three weeks and has not afforded ample opportunity to the accused to put up his defence. Learned counsel further submits that it would be appropriate and in the interest of justice, that the impugned order is set aside and the case is remanded to the court of IInd Additional Sessions Judge, Karachi East before whom the main case / trial was being conducted. Learned APG concedes to this and has no objection, therefore, by consent the impugned order is set aside and the case is remanded to the District & Sessions Judge, Karachi East who shall pass necessary orders for transfer of the case pertaining to FIR No.450/2013. The learned Trial Court, thereafter shall decide the matter afresh after affording proper opportunity to the accused to put up his defence. The instant appeal is disposed of in the above terms.

J U D G E

ARSHAD/