

# IN THE HIGH COURT OF SINDH CIRCUIT COURT AT HYDERABAD

**Criminal Jail Appeal No. D-98 of 2022**  
**[Confirmation Case No.18 of 2022]**

**Present:**

**Mr. Justice Khadim Hussain Tunio**  
**Mr. Justice Jan Ali Junejo**

For Appellant: Mr. Om Parkash H. Karmani, Advocate.  
For the Respondent/State: Mr. Shahwak Rathore, D.P.G.  
For Complainant: In person  
Date of hearing: 27-08-2025  
Date of Judgment: 08-10-2025

## **JUDGMENT**

**Jan Ali Junejo, J. ---** This judgment addresses the aforementioned Jail Criminal Appeal filed under Section 410 of the Code of Criminal Procedure, 1898, by the convicted accused, Akram @ Aka (hereinafter referred to as "the Appellant"), against the judgment dated 26.08.2022 (hereinafter referred to as the "Impugned Judgment") passed by the learned 1<sup>st</sup> Additional Sessions Judge / M.C.T.C, Tando Allahyar (hereinafter referred to as the "Trial Court"), in Sessions Case No. 89 of 2019, whereby the Appellant was convicted under Section 302(b) of the Pakistan Penal Code, 1860, and sentenced to death with a compensatory fine of Rs. 500,000/-. Connected therewith is the Confirmation Case No. 18 of 2022, sent by the learned trial Court for confirmation of the death sentence as mandatorily required under Section 374 Cr.P.C.

2. The prosecution case, as emanating from FIR No. 98/2019 (Exh.3/A) lodged by Latif Ahmed (PW-1), is that on the night of 17/18-08-2019, he, along with his deceased brother Habib-ur-Rehman and friends Ghulam Rasool (PW-2) and Muhammad Jaffar (PW-3), were managing a marriage ceremony at Fiza Garden Marriage Hall, Tando Allahyar. At approximately

2:30 a.m., the Appellant, known to them, arrived at the scene, used abusive language towards the deceased, and thereafter whipped out a 9mm pistol and fired multiple shots at him. The deceased sustained grievous injuries and succumbed to them on the way to the Civil Hospital. The motive was stated to be a sudden altercation. The investigation led to the recovery of empties from the scene and the subsequent recovery of the alleged murder weapon (a 9mm pistol) at the instance of the Appellant.

3. Following the investigation, the challan was submitted before the Judicial Magistrate, who after taking cognizance sent up the R&Ps to the Court of Sessions, who further referred the case to the Trial Court. Prior to the commencement of the trial, copies of the relevant police papers, in compliance with Section 265-C, Cr.P.C., were duly supplied to the appellant under proper receipt. Thereafter, a formal charge was framed against him, to which he pleaded not guilty and claimed to be tried. In order to discharge its burden of proof, the prosecution examined the following witnesses and produced documentary evidence as under:

**PW-1: Latif Ahmed S/o. Manzoor Hussain (Complainant; Exhibit 3)**

Latif Ahmed, the complainant and brother of the deceased, provided the foundational account of the incident. He testified that on the night of August 18, 2019, he, along with his deceased brother Habib-ur-Rehman, Ghulam Rasool (PW-2), and Muhammad Jaffar (PW-3), were managing a marriage ceremony at Fiza Garden Marriage Hall in Tando Allahyar. He stated that the accused, Akram @ Aka, whom they all knew, arrived at the hall at approximately 2:30 a.m. and began using abusive language toward the deceased. When the deceased attempted to restrain him, the accused drew a pistol from his clothing and fired multiple shots at the deceased, who was seated on a sofa. The victim collapsed, began trembling, and the accused fled the scene. Latif and others rushed the deceased to Civil Hospital, Tando Allahyar, but he succumbed to his injuries *en route*. Latif later accompanied the investigation officer (IO) to the scene, where he identified the location and participated in the recovery of evidence. During cross-examination, he admitted that the wedding was for a friend, not a direct relative, and that very few other individuals were present at that late hour. He also conceded that he could not specify the exact number of bullets fired. The defense suggested that he was not present at the scene and only arrived at the hospital later, but he firmly denied this. Latif Ahmed produced the First Information Report as Exhibit 3/A, which documented his initial account, and the dead body receipt as Exhibit

3/B, confirming the handover of the body after the post-mortem examination.

**PW-2: Ghulam Rasool S/o. Ghulam Hussain (Eyewitness; Exhibit 4)**

Ghulam Rasool fully corroborated the account provided by PW-1. He testified that the accused fired at the deceased with clear intent to kill, causing the victim to fall from the sofa and tremble violently before collapsing. Under cross-examination, he provided his mobile number (0300-3006516) and acknowledged that he did not know the groom personally but was present because the deceased was a friend. The defense attempted to challenge his presence at the scene using Call Data Records (CDRs), suggesting he was in Kashmir Colony at the time, but he denied this assertion. Ghulam Rasool did not produce any additional exhibits, but his testimony served to reinforce the consistency and reliability of the prosecution's narrative.

**PW-3: Muhammad Jaffar S/o. Haji Muhammad Shafiq (Eyewitness; Exhibit 5)**

Muhammad Jaffar provided the most detailed eyewitness account. He testified that the accused entered the marriage hall through a rear gate and immediately began hurling abuses at the deceased. When the deceased objected, the accused opened fire. Jaffar was the first to reach the victim and lift him, resulting in his own clothes and hands becoming stained with blood. He also informed the police of the incident. During cross-examination, he provided his mobile number (0308-3576770) and admitted that his bloodstained clothing had not been seized by the police. The defense strongly suggested, based on CDR data, that he was not present at the marriage hall but was instead in Eidgah or Kashmir Colony at the time. Jaffar vehemently denied these allegations. Although he did not produce any exhibits, his testimony was critical in establishing the immediate aftermath of the shooting and his active role in responding to the incident.

**PW-4: Khalil Ahmed S/o. Manzoor Hussain (Recovery Witness; Exhibit 6)**

Khalil Ahmed testified as a formal witness (mashir) to the recoveries made during the investigation. He attested to the preparation of the mashirnama for the dead body, the deceased's clothing, the scene inspection, the arrest of the accused, and—most critically—the recovery of the weapon. He described how the accused led the police to a black shopper hidden under a tree, from which a 9mm pistol (manufactured in Russia), five live rounds, and a copy of the firearm license were recovered. Under cross-examination, he acknowledged that the sofa bore bullet marks "through and through" and that no bullet heads were found beneath it. The defense suggested that all recovery memos were signed at the police station under coercion and that no genuine recovery occurred, but Khalil Ahmed denied these allegations. He produced several key exhibits: Exhibit 6/A (mashirnama of the dead body), Exhibit 6/B (mashirnama of the deceased's clothing), Exhibit 6/C (lash chakas form or inquest report), Exhibit 6/D (mashirnama of the scene inspection, noting the recovery of nine empties and blood-stained sofa foam), Exhibit 6/E (mashirnama of the accused's arrest), and Exhibit 6/F (mashirnama of the weapon recovery). Exhibit 6/F was particularly significant as it directly linked the accused to the crime weapon.

**PW-5: Dr. Imran Arshad (Medical Officer; Exhibit 7)**

Dr. Imran Arshad conducted the post-mortem examination and testified to its findings. He detailed 21 ante-mortem firearm injuries, including entry

and exit wounds, and noted extensive internal damage such as a ruptured heart, lungs, and liver, as well as multiple fractures. He opined that the cause of death was hemorrhage and shock resulting in cardiopulmonary arrest. During cross-examination, he confirmed that no bullets were recovered from the body, consistent with through-and-through injuries, and stated that the time between death and the post-mortem was approximately one hour. He produced several documents: Exhibit 7/A (police request for the post-mortem), Exhibit 7/B (lash chakas form), Exhibit 7/C (receipt for the dead body), and Exhibit 7/D (the post-mortem report itself). Exhibit 7/D was especially critical as it scientifically corroborated the eyewitness accounts and confirmed the homicidal nature of the death.

**PW-6: Munir Hussain (Tapedar; Exhibit 8)** Munir Hussain testified that he prepared the site plan (sketch map) of the crime scene at the request of the police. During cross-examination, he admitted that the letter from the Mukhtiarkar did not explicitly assign him this duty and that the site plan did not show the precise locations where witnesses were seated or where empties were found. He produced Exhibit 8/A (the letter from the Station House Officer to the Mukhtiarkar) and Exhibits 8/B to 8/E (the site plan sketch maps). These exhibits were significant for establishing the topography and layout of the crime scene.

**PW-7: SIP Allah Bachayo (Investigation Officer; Exhibit 9)** SIP Allah Bachayo, the investigating officer, provided a comprehensive overview of the investigation process. He detailed the sequence of events from the receipt of information to the filing of the final report (challan), explained the police station diary entries, and described sending the weapon for ballistic analysis and bloodstained items for chemical examination. Under cross-examination, he admitted that the pistol was licensed in the accused's name and that he had not recorded statements from the marriage hall manager or other independent witnesses. He also acknowledged that he did not verify the witnesses' locations using CDR data. He produced extensive array of documentary evidence, including Exhibits 9/A to 9/E (police station diary entries), Exhibits 9/K and 9/L (the accused's criminal record), Exhibits 9/M and 9/N (the letter to and report from the chemical examiner, confirming the presence of blood), and Exhibits 9/O and 9/P (the letter to and report from the ballistic expert). Exhibit 9/P, the ballistic report, was particularly conclusive, as it confirmed that the empties recovered from the scene were fired from the pistol recovered from the accused. He also produced Exhibit 9/Q, the FIR under Section 25 of the Sindh Arms Act, 2013.

4. At the close of the prosecution's evidence, the statement of the accused under Section 342 Cr.P.C. was recorded, wherein he denied the allegations leveled against him and professed innocence. He asserted that he had been falsely implicated in the case and that the weapon allegedly recovered was in fact his licensed pistol, which had been taken by the police from his house and later used to fabricate evidence against him. The accused chose to examine

himself on oath under Section 340(2) Cr.P.C. and also produced defence witnesses. DW-1 Haroon Rashid, Incharge Computer Section SSP Office Tando Allahyar, produced the CDR data of prosecution witnesses. The summary of the evidence of accused and defence witness is as under:-

**DW-1: Haroon Rashid (Incharge, Computer Section, SSP Office; Exhibit 13):** Haroon Rashid was summoned by the defense to produce Call Data Records(CDRs) for the mobile phones of the prosecution witnesses (PW-1, PW-2, and PW-3). The intended purpose was to cast doubt on their presence at the marriage hall during the incident by suggesting they were in other locations, such as Kashmir Colony. However, under cross-examination, he admitted that the CDRs were not certified or signed by an authorized officer, had not been sent for forensic verification, and that he could not confirm who was actually using the phones at the relevant times. These admissions severely undermined the reliability and admissibility of the evidence, rendering it ineffective under the principles established in 2021 SCMR 522.

**DW-2: Dilawar Khan (Manager, Shah Armory):** Dilawar Khan testified that the recovered pistol (model MP-446) was licensed and registered to the accused. The defense intended to use this testimony to demonstrate that the weapon was legally possessed and thus its recovery was not illicit. However, this point was ultimately irrelevant to the core issue of the case, which was not the legality of the weapon's possession but its alleged use in the commission of a murder. The prosecution never disputed the license status of the weapon, and this testimony did not weaken their case.

5. After completion of the evidence from both sides, learned counsel for the Appellant, learned ADPP for the State, and learned counsel for the complainant were heard at length. The trial Court, after evaluating the ocular, medical, and circumstantial evidence, found the prosecution case proved beyond reasonable doubt. Consequently, vide Impugned Judgment dated 26.08.2022, the trial court convicted the accused under Section 302(b), P.P.C., sentenced him to death, and directed him to pay compensation of Rs. 500,000/- to the legal heirs of the deceased under Section 544-A, Cr.P.C., with a further six months' simple imprisonment in default of payment. The benefit of Section 382-B, Cr.P.C. was, however, extended to him. The sentence was made subject to confirmation by this Court under Section 374, Cr.P.C.

6. The learned counsel for the appellant argued that the impugned judgment is contrary to law and facts, suffers from misappraisal of evidence, and fails to meet the standards of safe administration of criminal justice. He further contends that the appellant is innocent and has been falsely implicated. He further argues that material contradictions exist in the prosecution evidence and that the prosecution has failed to prove any motive for the occurrence. He further contends that the presence of prosecution witnesses at the place of incident is doubtful in view of CDR data and that no independent witnesses, employees, or managers of the marriage hall were associated. He further argues that the post-mortem report mentions multiple injuries, yet the same were not detailed by the alleged eye-witnesses, creating serious doubts about their credibility. He further contends that the recovery of weapon is doubtful as it was a licensed pistol, allegedly taken by the I.O. and fired upon before being sent to the ballistic expert. He further argues that the trial court ignored these material infirmities, denied the benefit of doubt to the appellant, and relied upon conflicting and circumstantial evidence, resulting in grave miscarriage of justice and rendering the conviction unsustainable in law. He prays that the present appeal may be allowed, the impugned judgment set aside, and the appellant acquitted of the charges by extending him the benefit of doubt.

7. The learned Deputy Prosecutor General (D.P.G.) for the State argued that the prosecution has successfully established its case through consistent ocular testimony, corroborated by medical and circumstantial evidence. It is further contended that the eye-witnesses have no motive for false implication, and their evidence remained consistent and confidence-inspiring despite lengthy cross-examination. It is further argued that the recovery of the crime weapon from the accused, coupled with the ballistic report confirming that the recovered empties were fired from the same weapon, provides strong corroboration. It is further contended that minor discrepancies in the

statements of prosecution witnesses do not affect the core of the prosecution case, which is otherwise supported by unimpeachable medical evidence showing multiple firearm injuries on vital parts of the deceased's body. It is further argued that the CDR data produced by the defence has no evidentiary value in the absence of call transcripts and forensic verification. It is further contended that the trial court properly appreciated the evidence, applied settled principles of law, and rightly convicted the appellant after finding him guilty beyond reasonable doubt. Lastly, the learned D.P.G. prays that the Criminal Jail Appeal be dismissed, and the conviction and sentence awarded by the learned trial court be maintained.

8. The complainant, present in person, endorsed the arguments advanced by the learned Deputy Prosecutor General for the State and prayed for dismissal of the present Jail Appeal.

9. We have carefully considered the submissions advanced by the learned counsel for the Appellant, the complainant appearing in person, and the learned Deputy Prosecutor General for the State. With their valuable assistance, we have meticulously examined the evidence available on record, applying due care and caution. It is a well-settled principle of appellate jurisprudence that the High Court, while hearing a criminal appeal, is duty-bound to reappraise the entire evidence to ensure the correctness, legality, and propriety of the findings recorded by the trial Court. We have accordingly undertaken such a comprehensive re-evaluation. Upon such careful scrutiny, it transpires that all three eyewitnesses, namely Latif Ahmed, Ghulam Rasool, and Muhammad Jaffar, have consistently deposed regarding the arrival of the Appellant, the exchange of abusive language, and the subsequent act of firing. Their presence at the marriage hall, where they were managing the event, is natural and probable. A wedding management team often remains until the very end. The learned trial court correctly noted that they withstood lengthy

cross-examination and no material contradiction could be extracted that went to the root of the case. Minor discrepancies regarding the exact number of people present or the time of dinner service are inconsequential and do not dent their credibility. The law does not mandate that every person present at the scene must be examined as a witness. It is a settled principle of criminal jurisprudence that prosecution evidence is to be assessed on the basis of its quality rather than the quantity of witnesses produced. What matters is the credibility and reliability of the testimony, not merely the number of individuals testifying. Reliance is placed on the case of *Qasim Shahzad and another v. The State and others (2023 SCMR 117)*, wherein the Honourable Supreme Court of Pakistan observed that: *“As a rule of criminal jurisprudence, prosecution evidence is not tested on the basis of quantity but quality of evidence. It is not that who is giving evidence and making statement. What is relevant is what statement has been given and it is not the person but the statement of that person which is to be seen and adjudged. In Niaz-ud-Din v. The State (2011 SCMR 725), it was held that conviction in a murder case can be based on the testimony of a single witness, if court is satisfied that he is reliable and it is the quality of evidence and not the quantity which matters. The same was the view of this Court in Asim v. The State (2005 SCMR 417), Lal Khan v. The State (2006 SCMR 1846) and Muhammad Sadiq v. The State (2022 SCMR 690)”*. The testimony of a witness cannot be discarded merely because he is a relative; it requires cautious scrutiny, and if found reliable, it can form the basis of conviction. Herein, the testimonies are not only consistent *inter se* but are also corroborated by medical and forensic evidence.

10. The post-mortem report (Exh.7/D) is a conclusive and scientific document. It details 21 ante-mortem firearm injuries, including wounds to the chest, abdomen, and other vital parts, causing damage to the heart, lungs, and liver. The opinion of Dr. Imran Arshad that death was due to hemorrhage and shock is unassailable. This evidence conclusively proves that the death was



homicidal and caused by a firearm, perfectly supporting the ocular account of a brutal and sustained attack. The ground that eyewitnesses did not describe each injury is misconceived. Witnesses are not expected to be medical experts. They see the event as it happens. Their account of “firing multiple shots” is overwhelmingly corroborated by the medical evidence. This is a case with both direct and circumstantial evidence. However, the circumstantial evidence provides irrefutable corroboration: **a) Recovery of Empties (Exh.6/D):** Nine 9mm empties were recovered from the scene, placing the assailant there with a firearm of that caliber. **b) Recovery of Weapon (Exh.6/F):** This is the most crucial piece of evidence. The Appellant led the police to the recovery of the 9mm pistol. The law on recoveries at the instance of an accused is well-settled. Such evidence is admissible and carries great weight. The subsequent Ballistic Report (Exh.9/P) conclusively confirmed that the crime-empties recovered from the scene were fired from the very pistol recovered from the possession of the Appellant. The report further certified that the said weapon was in proper working condition at the time of examination. This scientific evidence forms an unbroken and reliable chain, firmly connecting the Appellant with the commission of the offence. **c) Licensed Weapon:** The Ground that the weapon was licensed is irrelevant. A licensed weapon used in a crime does not absolve the user. It only means the weapon was lawfully possessed, not lawfully used. The separate conviction under the Sindh Arms Act for its misuse is a distinct matter.

11. The contention of the learned defence counsel regarding the alleged failure to collect “pollen” from the sofa is misconceived, hyper-technical, and reflective of a misunderstanding of standard investigative protocols. The investigation record reveals that bloodstained pieces of sofa foam (Exh.6/D) were duly recovered from the crime scene and sent for forensic examination, which was sufficient to connect the scene of occurrence with the offence.

Moreover, the prosecution has convincingly demonstrated that the bloodstained clothes of the deceased, namely (i) light blue shalwar with drawstring, (ii) white banyan (undershirt), and (iii) two pieces of orange Rexine, were also secured and forwarded to the Chemical Examiner for analysis. These items were scientifically examined through the **Chemical Method (Moyer Test)** for detection of blood and the **Serological Method (Precipitation Test)** for determination of human blood. According to the Chemical Examiner's Report dated 20-11-2019, all these articles were found stained with human blood, thereby corroborating the ocular account and reinforcing the prosecution's case. Therefore, the objection raised by the defence carries no legal weight and does not diminish the evidentiary value of the properly collected forensic samples, which form an integral link in the chain of circumstances connecting the accused with the commission of the offence.

12. The learned trial court rightly applied the law concerning CDR data. In Case of *Mian Khalid Perviz v. The State through Special Prosecutor ANF and another (2021 SCMR 522)*, the Honourable Supreme Court of Pakistan clearly held that mere CDR data, without accompanying call transcripts or end-to-end audio recordings, is inadmissible and unreliable. Moreover, DW-1 himself admitted that the data produced was neither properly certified nor verified. The relevant observation in *Mian Khalid Perviz* reads as follows: “*Mere production of CDR DATA without transcripts of the calls or end to end audio recording cannot be considered/used as evidence worth reliance. Besides the call transcripts, it should also be established on the record that callers on both the ends were the same persons whose calls data is being used in evidence. While considering such type of evidence extra care is required to be taken by the Courts as advancement of science and technology, on the other hand, has also made it very convenient and easy to edit and make changes of one's choice as highlighted and discussed in the case of Ishtiaq Ahmad*

*Mirza supra. We also can lay hand on the case of Azeem Khan v. Mujahid Khan (2016 SCMR 274) in this regard. So, the CDR DATA produced by the said witnesses is of no help to the Appellant and cannot be termed as an evidence worth reliance to shatter the direct evidence adduced by the prosecution". Thus, the trial court rightly disregarded this evidence.*

13. The prosecution has suggested that the incident arose out of a sudden verbal quarrel during a marriage ceremony, without any prior hostility, enmity, or calculated plan being established. Though the act itself was violent and resulted in multiple fatal injuries, it was not the product of cold-blooded premeditation. Criminal law recognizes that while weak or absent motive does not weaken a conviction supported by direct and corroborated evidence, it strongly weighs against imposition of the ultimate penalty of death. The absence of a deliberate design reduces the moral culpability of the offender, making life imprisonment the more proportionate sentence. In this context, reference may be made to the guiding principle laid down in Case of *Naveed alias Needu & others v. The State (2014 SCMR 1464)*, wherein it was observed:

*"...failure of the prosecution to prove the motive set up by it may have a bearing upon the question of sentence and in an appropriate case such failure may result in reduction of a sentence of death to that of imprisonment for life for safe administration of justice."*

14. In view of the cumulative effect of the foregoing circumstances, most notably the absence of conclusive proof regarding motive, the nature of the assault arising from sudden provocation, and the lack of premeditation in the alleged incident, the appellant is entitled to the benefit of alternative sentencing. Reliance is placed on the Case of *Ghulam Mohy-ud-Din alias Haji Babu v. The State (2014 SCMR 1034)*, wherein the Honourable Supreme Court observed:

*"Once the legislature had provided for awarding alternative sentence of life imprisonment, it would be difficult to hold that in all the cases of murder, the death penalty was the normal penalty and should ordinarily be awarded."*

*Sentence of death and life imprisonment were alternative to one another, however awarding one or the other sentence essentially depended upon the facts and circumstances of each case.”*

In a recent case, *Fida Hussain alias Saboo v. The State (2025 SCMR 993)*, the Honourable Supreme Court of Pakistan was pleased to commute the death sentence of the convict to life imprisonment, observing that the mitigating circumstances, failure to prove motive, and absence of premeditation did not justify the extreme penalty of death. It is was observed that: *“In our opinion, the factum of motive was not proved by the prosecution by bringing on record reliable and confidence inspiring evidence. All these mitigating factors justified not handing down the sentence of death. The trial court had explicitly mentioned the mitigating factors which had led to awarding the sentence of life imprisonment. The High Court had erroneously assumed that the trial court had not recorded reasons. Moreover, the High Court had enhanced the sentence because, in its opinion, a harsher sentence ought to have been awarded. We have noted that the prosecution had proved the guilt of the appellant beyond reasonable doubt and, therefore, the conviction upheld by the High Court being unexceptionable does not require any interference. The appeal to the extent of conviction is dismissed. However, it is partly allowed by setting-aside the judgment of the High Court to the extent of enhancing the sentence from life imprisonment to death. Consequently, the sentence of life imprisonment awarded by the trial court for the offence committed under section 302(b) P.P.C. stands restored. The amount of compensation awarded under section 544-A Cr.P.C. shall remain intact and the said amount shall be recoverable as the arrears of land revenue. It is, however, directed that in case of non-recovery of the compensation amount, the appellant shall further undergo six months simple imprisonment”.*

15. Sentencing must reflect proportionality: the punishment imposed must correspond to both the gravity of the act and the circumstances in which it was committed. Here, while the appellant’s actions caused multiple fatal injuries, they arose from a sudden quarrel without evidence of prior planning or

calculated malice. These mitigating factors exclude the case from the category of “rarest of rare” murders warranting death. The safer and more just course is life imprisonment. Accordingly, the sentence of death is commuted to rigorous imprisonment for life, with the following ancillary directions:

1. **Compensation:** The appellant shall pay compensation of Rs. 500,000/- to the legal heirs of the deceased in terms of Section 544-A, Cr.P.C., failing which he shall undergo six (06) months’ simple imprisonment in default.
2. **Benefit of Pre-Conviction Detention:** The appellant shall be entitled to the benefit of Section 382-B, Cr.P.C., and the period of detention already undergone shall be deducted from his substantive sentence.

16. After a thorough reappraisal of the evidence, we are of the considered view that the prosecution successfully proved its case beyond any reasonable doubt. The evidence presents a coherent and unbroken chain:

- The eyewitnesses are credible and reliable.
- Their testimony is corroborated by the medical evidence, which proves a homicidal death matching their account.
- The recovery of the weapon at the instance of the Appellant and its ballistic match with the empties from the scene provides conclusive scientific proof of his guilt.

17. The learned trial Judge conducted the trial with utmost propriety, correctly appreciated the evidence, and applied the relevant legal principles. The grounds raised in the appeal are merely a reiteration of the defence taken at the trial and have been rightly rejected for the reasons stated above. We find no illegality, irregularity, or misreading of evidence in the impugned judgment that would warrant appellate interference.

18. For the reasons discussed hereinabove:

- a) *Jail Criminal Appeal No. D-98 of 2022 filed by the Appellant stands dismissed.*
- b) *The death sentence awarded to the Appellant by the learned trial Court is hereby modified and converted into imprisonment for life.*

*c) Consequently, Confirmation Case No. 18 of 2022 is answered in the negative.*

Let copies of this judgment be transmitted to the learned trial Court as well as the Superintendent, Central Prison, Hyderabad, for information and necessary compliance.

**JUDGE**

**JUDGE**