

**IN THE HIGH COURT OF SINDH AT KARACHI**

Present:  
Mr. Justice Omar Sial  
Mr. Justice Muhammad Hassan (Akber)

**Criminal Appeal No. 38 of 2024**  
[Gul Zaman vs. The State]

**Criminal Appeal No. 36 of 2024**  
[Gul Zaman vs. The State]

**Confirmation Case No. 02 of 2024**  
[Reference made by the Additional Sessions Judge-I/MCTC Thatta  
for confirmation of death sentence against the appellant]

Appellant : Gul Zaman  
through Mr. Mustafa Mahesar,  
Advocate.

Complainant : through Mr. Muhammad Yasir,  
Advocate.

Respondent : The State  
through Mr. Muhammad Iqbal  
Awan, Additional Prosecutor  
General, Sindh

Date of Hearing : 26.05.2025

Date of Decision : 04.07.2025

**JUDGMENT**

Omar Sial, J: Lal Khan Jamari and his brother Bilawal were going to their land on 31.05.2019 when on the way they met Mohammad Hashim and Sikander Habib. While the four men were together, Gul Zaman Jokhio and Mir Zaman Jokhio, both armed with pistols, came there and fired two shots each at Bilawal, who died on the spot. F.I.R. No. 75 of 2019 was registered on 02.06.2019, under sections 302, 506/2, 337-H(2) and 34 P.P.C. at the Gharo police station. Gul Zaman Jokhio was arrested on 06.06.2019. On 09.06.2019 Gul Zaman led the police to a fish farm, from where the crime weapon was

recovered. F.I.R. No. 76 of 2019 was registered under section 23(1)(a) Sindh Arms Act, 2019 as Gul Zaman could not produce the licence for the weapon.

2. Gul Zaman pleaded not guilty and claimed to be tried. The prosecution examined: PW-1 Lal Khan Jamari (an eyewitness and complainant); PW-2 Sikander Habib Shah (eyewitness); PW-3 Fazal Jamari (witness to various steps taken in the investigation); PW-4 Dr. Ramesh Kumar Bansari (who did the post mortem); PW-5 Niaz Ahmed Abbasi (revenue officer who sketched the place of incident); PW-6 P.C. Faqir Mohammad (courier) and PW-7 S.I. Laiq Ali (investigating officer). The accused professed innocence in his section 342 Cr.P.C. statement.

3. The learned 1st Additional Sessions Judge, Thatta, on 20.12.2023 convicted Gul Zaman for a section 302(b) offence and sentenced him to death while he was sentenced to ten years for having committed a section 25 Sindh Arms Act, 2019 offence.

4. Learned counsel for Gul Zaman submitted that he did not wish to argue on merits but requested that a lenient view be taken and the death sentence awarded to Gul Zaman converted to life imprisonment. The learned Additional Prosecutor General submitted that the State would have no objection if the sentence is converted from death to life imprisonment. Learned counsel for the complainant and the legal heirs of Gul Zaman Khan after seeking instructions from his clients also confirmed that his clients, because of their fear of Allah, have no objection to a reduction of the sentence to life imprisonment.

5. Apart from the no-objections of the State and the legal heirs of the deceased, we also notice that the motive for the killing was not established at trial. Gul Zaman was an old neighbor of the complainant family and well known to them. What prompted him to, what appears out of the blue, come and

shoot at Bilawal without any word uttered, remained unexplained and vague at trial. It is also a matter of record that two different individuals had shot at Bilawal and it remained unclear as to whose shot caused death. Because of a combination of the foregoing factors and primarily because of the no-objection of the State and legal heirs of the deceased, the death sentence awarded to Gul Zaman is converted to life imprisonment.

6. Subject to the above modification in sentence, both appeals are dismissed. The sentences will run concurrently, and the convict will be entitled to section 382-B Cr.P.C. remissions. The death reference is answered in the negative.

JUDGE

JUDGE