

Order Sheet

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Rev. App. No. S-38 of 2023

For hearing of case

1. For hearing of MA No.1252/2025 (345(2) Cr.P.C)
2. For hearing of MA No.1253/2025 (345(6) Cr.P.C)
3. For hearing of main case

Date of hearing: **03.07.2025**

Mr. Ubedullah Ghoto Advocate for appellant
Mr. Mujeeb-ur-Rehman Shaikh Advocate for complainant.
Mr. Muhammad Raza Katohar, Deputy Prosecutor General.

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ORDER

Muhammad Jaffer Raza, J. – The applicant was tried in Criminal Case No.10 of 2022 (*Re. The State v. Gul Muhammad*), emanated from Crime No.359 of 2021, registered at Police Station A-section Ghotki, for offence punishable under Section 489-F, PPC and vide judgment dated 15.08.2022, passed by learned 1st Judicial Magistrate, Mirpur Mathelo, he was convicted and sentenced to suffer R.I for two years and to pay Rs.25,000/-, in case of default in payment of fine, the accused shall undergo further S.I for two months. However, benefit of Section 382-B, Cr.P.C was extended to him. Thereafter, applicant / accused filed Criminal Appeal No.17 of 2022 (*Re. Gul Muhammad v. The State*) against the conviction and sentence awarded to him by the learned Magistrate, which was dismissed vide judgment dated 24.05.2023, passed by learned Additional Sessions Judge-III, Ghotki, who upheld the conviction and sentence recorded by the learned trial Court, hence, this Criminal Revision Application.

2. During pendency of this Criminal Revision Application, above named applicant / accused and complainant have jointly filed application for permission to compound the offence and compromise application duly supported by the affidavits of the complainant, stating therein that they have patched-up / settled their differences with each other and have compounded the offence on holly Quran on the intervention of *Nekmards* of the locality.

The complainant has further submitted that he has compromised with the applicant / accused without any coercion, pressure, inducement, promise or threat.

3. Notice of the application under Section 345(2), Cr.P.C has been waived by the learned DPG for the State.

4. I have heard the learned counsel for the applicant / accused, counsel for complainant and learned DPG for the State, who has recorded no objection to the grant of compromise. I have also gone through the material available on the record.

5. Under these circumstances, I am of the considered view that complainant is competent to compound / compromise the offence with the applicant / accused. Compromise arrived between the parties on the very face of it seems to be genuine and true and there would be no hesitation to accept the same, as the offence punishable under Section 489-F, PPC against the applicant / accused is compoundable and have actually been compounded. Accordingly, the permission to compound the said offence is hereby accorded. Resultantly, compromise arrived between the parties is hereby accepted. Consequently, applicant / accused Gul Mohammad S/O Mohammad Essa, by caste Ghoto, is hereby acquitted under Section 345(6), Cr.P.C for an offence punishable under Section 489-F, PPC. Applicant / accused is present on bail his bail bond is cancelled and surety stands discharged.

6. The Criminal Revision Application stands **disposed of** in the above terms along with pending applications.

J U D G E