

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
MIRPURKHAS**

Criminal Appeal No.D-09 of 2024

Appellant: Abdul Raheem Son of Khalil Ahmed,
Through Mr. Imam Ali Chang, Advocate.

Respondent: The State.
Through Mr. Shahzado Saleem, Additional P.G.

Criminal Appeal No.D-25 of 2024

Appellants: 1. Sadique Ali Son of Habibullah Brohi,
2. Muhammad Zubair Son of Taj Mir Brohi,
Through Mr. Imam Ali Chang, Advocate.

Respondent: The State.
Through Mr. Shahzado Saleem, Additional P.G.

Date of Order: 25.08.2025.

ORDER

Amjad Ali Sahito, I: Through these two Criminal Appeals, the appellants have challenged the judgment dated 05.08.2023 passed by the learned Additional Sessions Judge-I, Mirpurkhas in Special Case No.31/2022 "Re: Sadique Ali and others Vs. The State", arising out of Crime No.52/2022 for offence under section 9(c) CNSA, 1997 of PS Kot Ghulam Muhammad whereby the appellants were sentenced and convicted to suffer R.I for 14 years with fine of Rs.300,000/- each.

2. The learned counsel after arguing at some length; prayed that he would not like to argue on merits but would be satisfied if the sentence given to the appellants were reduced to the time they had already remained in prison.

3. On the other hand, learned Additional Prosecutor General Sindh concedes that the appellants have remained behind the bars for sufficient period and learnt the lesson, therefore, he has no objection if a lenient view

is taken against them by dismissing the instant appeals and treating the sentence to one as already undergone.

4. I have heard the learned counsel for the appellants, learned A.P.G for the State and have gone through the record.

5. It appears that these criminal appeals were presented on 05.09.2023 and 14.09.2023 respectively and are still pending before this court. The appellants have remained in jail and learnt the lesson as they have undergone for their sentence and are being dragged since 2022 in the instant crime. Further learned counsel for the appellants submits that he is not pressing the criminal appeals on merits but would be satisfied if the sentence given to the appellants was reduced to the time they had already remained in prison. Learned A.P.G has also raised his no objection. During pendency of the appeals, jail roll was called of the appellants Abdul Raheem, Sadique Ali and Muhammad Zubair and as per jail roll received from Senior Superintendent C.P Mirpurkhas reflects that appellants have served their sentence without remission 02 year and 20 days and earned reemission of 04 years, 04 months and 29 days as they have remained in jail for period of 6 years, 05 months and 19 days. Consequently, while taking a lenient view, instant criminal appeals are dismissed but with modification that the sentence is reduced to one as already undergone including fine amount.

6. The instant Criminal Appeals are **dismissed** with above modification. The office is directed to issue release writ of the appellants with direction to Superintendent Central Prison, Mirpurkhas to release the appellants forthwith if they are not required in any other custody case.

JUDGE

JUDGE