

**JUIDGMENT SHEET  
IN THE HIGH COURT OF SINDH CIRCUIT COURT,  
MIRPURKHAS.**

PRESENT

**Mr. Justice Amjad Ali Sahito.**

**Mr. Justice Jan Ali Junejo.**

Criminal Appeal No.D-58 of 2024

Appellant:	Noor Muhammad through Mr. Aziz Ahmed Laghari, advocate.
Respondent:	The State through Mr. Neel Parkash, Deputy Prosecutor General Sindh.
Date of hearing:	06.10.2025.
Date of Decision:	06.10.2025.

**J U D G M E N T**

**AMJAD ALI SAHITO, J.** Through the captioned Criminal Appeal, the appellant has challenged the judgment dated 30.05.2023, passed by learned 1<sup>st</sup> Additional Sessions Judge/MCTC/Special Judge For Control of Narcotics Substance Act, Mirpurkhas in Special Case No.23 of 2023, Crime No.23 of 2023 registered at PS Kot Ghulam Muhammad for the offence under section 9(1) Serial No.3(a) CNSA, Amendment Act, 2022, whereby the appellant was convicted and sentenced to suffer R.I. three years and to pay fine of Rs.20,000/- and in default whereof to suffer S.I. for six months more.

**2.** Learned counsel for the appellant, after arguing the matter at some length has stated that the offence pertains to the year 2023 and the appellant has remained in Jail for sufficient period and still is facing the instant case; as such, he does not wish to contest this Criminal Appeal and leaves the appellant at the mercy of the Court. He states that if this Court while maintaining the conviction reduces the sentence to one the appellant has already undergone, he would not press the Criminal Appeal.

**3.** On the other hand, learned Deputy Prosecutor General Sindh appearing for the State has opposed the acquittal of appellant but raises no objection in case, a lenient view is taken against him by dismissing the appeal treating the sentence to one as already undergone and to pay fine amount.

**4.** We have heard the learned counsel for the appellant and the learned Deputy Prosecutor General for the State, and have also gone through the record. It appears that this Criminal Appeal has been pending before this Court since 2023. The appellant has remained in jail for a period of one year, two months, and twenty-six days without remission, as per the Jail Roll dated 22.08.2024, and it seems that he has learnt his lesson. There is no legal impediment in accepting the request of the appellant, as he has already served a sufficient portion of his sentence. Accordingly, in order to enable the appellant to reform and rehabilitate himself and to rejoin the mainstream of society as a useful member thereof, by taking a lenient view, the instant Criminal Appeal is dismissed, however, with the modification that the sentence is reduced to one as already undergone by the appellant, including the fine amount. The appellant is present on bail; his bail bond stands cancelled, and the surety is discharged. The office is directed to return the surety papers to the surety after proper verification and identification.

**5.** Instant Criminal Appeal stands **dismissed** with the above modification.

**JUDGE**

**JUDGE**