

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

**Criminal Appeal No.S-205 of 2024**

**Appellants:** 1. Ali Sher S/o Saleh Shar,  
2. Irshad Ali S/o Juman @ Jumo Shar,  
Through Mr. Mujeeb-ur-Rehman Shar, Advocate.

**Respondent:** The State.  
Through Mr. Ghulam Abbas Dalwani, D.P.G.

**Date of Hearing:** 11.09.2025.

**Date of Order:** 11.09.2025.

**ORDER**

*Amjad Ali Sahito, I:* Through this Criminal Appeal, the appellants have challenged the judgment dated 31.10.2024 passed by the learned Assistant Sessions Judge, Khipro in Sessions Case No.593/2024 "Re: The State Vs. Ali Sher and others, arising out of Crime No.108/2024 for offence under sections 324, 353 and 34 P.P.C of PS Khipro whereby the appellants were convicted and sentenced for the offence punishable under section 324 r/w section 34 P.P.C to suffer R.I for 05 years with fine of Rs.30,000/- each and under section 353 r/w section 34 P.P.C to suffer R.I for 01 year with fine of Rs.5,000/- each with benefit of section 382-B Cr.P.C, awarded by the learned trial court.

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 Deputy 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 appeal and treating the sentence to one as already undergone.

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

5. It appears that this criminal appeal was presented on 09.12.2024 and is 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 2024 in the instant crime. Further learned counsel for the appellants submits that he is not pressing the appeal on merits but would be satisfied if the sentence awarded to the appellants may be reduced to one they had already undergone. Such proposal is not opposed by the learned Deputy P.G Sindh. Consequently, while taking a lenient view, the instant criminal appeal is dismissed but with modification that the sentence is reduced to one as already undergone including fine. The appellants are present on bail, their bail bonds stand cancelled and sureties discharged. Office is directed to return the surety papers after proper verification and identification.

**JUDGE**

*\*Faisal\**