

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

**Criminal Revision Application No.S-130 of 2024**

**Applicants:** (i). M. Hashim s/o M. Hassan.  
(ii). Noor Alam s/o M. Hashim.  
Through Mr. Shoukat Ali Rahimoon,  
Advocate.

**Respondent:** The State.  
Through Mr. Dhani Baksh Mari,  
Assistant Prosecutor General Sindh.

**Date of hearing:** 25.09.2025

**Date of Order:** 25.09.2025

**O R D E R**

**Amjad Ali Sahito, J:** Through this Criminal Revision Application, the applicants/accused namely Muhammad Hashim and Noor Alam have challenged the judgment dated 21.09.2024, passed by the learned Additional Sessions Judge-II, Tharparkar at Mithi, in Criminal Appeal No. 11/2024 (Re: Muhammad Hashim & another v. The State), whereby their appeal was dismissed. The said appeal had been filed against the judgment dated 28.06.2024, passed by the learned Judicial Magistrate, Diplo, whereby applicant Muhammad Hashim was convicted for the offence under Section 337-F(iv), PPC (*Ghayr-Jaifah Mudihah*), and was directed to pay Daman in the sum of Rs.200,000/- (Rupees Two Hundred Thousand only) to the injured Hanif. He was also convicted for the offence under Section 337-F(i), PPC (*Ghayr-Jaifah Damiyah*), and was directed to pay Daman in the sum of Rs.50,000/- (Rupees Fifty Thousand only) to the said injured. In default of payment of Daman, he was ordered to be kept in jail and dealt with in the same manner as a sentence of simple imprisonment until such Daman is paid. Similarly, applicant Noor Alam was convicted for the offence under Section 337-L(ii), PPC, and was directed to pay Daman in the sum of Rs.20,000/- (Rupees Twenty Thousand only) to the injured Hanif,

and in default of payment he was also ordered to be kept in jail and dealt with in the same manner as a sentence of simple imprisonment until such Daman is paid. The aforesaid convictions arises out of Crime No.63/2023, registered at Police Station Diplo, under Sections 337-F(iv), 337-F(i), 337-L(ii), 504, and 34, PPC. Being aggrieved by the concurrent findings of the Courts below, the applicants have approached this Court seeking setting aside of the impugned judgments.

2. The learned counsel for the applicants, after arguing at some length, submitted that he would not press the instant Criminal Revision Application on merits and would be satisfied if the sentences awarded to the applicants are modified. He further argued that the applicants are poor persons and, despite their financial constraints, they were willing to pay Daman of Rs.150,000/- to the injured in place of Rs.270,000/-.

3. On the other hand, learned Assistant Prosecutor General Sindh, while conceding to the financial condition of the applicants, has stated that he has no objection if the Daman amount be reduced from Rs.270,000/- to Rs.150,000/-.

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

5. I have heard learned counsel for the applicants as well as the learned Assistant Prosecutor General, Sindh, and have carefully examined the record. Learned counsel for the applicants submitted that the applicants are poor persons and, despite their financial constraints, they were willing to pay Daman of Rs.150,000/- to the injured in place of Rs.270,000/-. It is further pointed out that the applicants have deposited the said amount of Rs.150,000/- today, and the receipt evidencing such payment has been placed on record. Learned Assistant Prosecutor General, Sindh, taking into consideration the financial condition of the applicants, has fairly conceded that he has no objection if the Daman amount is treated as reduced from Rs.270,000 to Rs.150,000/-. In view of considering

financial position of the applicants, this Court is of the view that the ends of justice stand duly met.

6. Consequently, while taking a lenient view, the instant Criminal Revision Application is dismissed but with modification to the extent that the Daman amount is reduced from Rs.270,000/- to Rs.150,000/-, which has already been deposited. The applicants, being present on bail, are hereby informed that their bail bonds stand cancelled and the sureties furnished therein are discharged. The office is directed to return the surety documents upon due verification and proper identification. The amount of **Daman** shall be paid to the injured party after completion of necessary verification and identification formalities. **Consequently, instant Criminal Revision Application stands disposed of with the above modification.**

**JUDGE**

*\*Adnan Ashraf Nizamani\**