

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA  
Cr Appeals No S-132, 133, 134, 135  
136, 137, 138, 139, 140, 141, 142 & 143 of 2019.

Date of  
Hearing  
06.10.2021

ORDER WITH SIGNATURE OF JUDGE


Mr. Safdar Ali Ghouri, advocate for the appellant in all matters.  
Mr. Ali Anwar Kandhro, Addl. P.G.

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Heard Mr. Safdar Ali Ghouri, learned Counsel for the appellant and Mr. Ali Anwar Kandhro, learned Additional Prosecutor General. These appeals are remanded back to the learned trial Court in order for the appellant to produce the evidence which has come into his possession from the Board of Revenue, Hyderabad, which evidence, according to the learned Counsel, could not be produced at trial; (however, the extracts of the Form-VII, which in themselves show the sureties as 'khatedars' were produced and exhibited at trial) and for the Court to examine the relevant witnesses in connection with this record. Having recorded this additional evidence, the learned trial Court shall re-record the section 342, Cr.P.C. statement and write a fresh judgment. The learned trial Court is at complete liberty to apply its independent mind and decide the case after the evidence has come on record, in accordance with law. The learned trial Court shall not be impacted by this remand back order, as the purpose is solely to do justice in the case as some important evidence it appears might have been not considered at trial. Learned Addl. P.G. is in agreement that it is possible that some important evidence was not taken into consideration and is thus of the opinion that justice will be served if the learned trial Court records such evidence. In view of the peculiar circumstances of this case, the appellant is admitted to bail subject to his furnishing a solvent surety in the sum of

Rs.100,000/- and a P R. bond in the like amount before the learned trial Court. The learned trial Court shall endeavour to complete this exercise within a period of 3 months from the date of receipt of this order and report compliance through the learned Additional Registrar of this Court. The bail granted to the appellant today shall cease on the date the learned trial Court announces its judgment.

All the aforementioned appeals stand disposed of in the above terms.

 6/10/21  
JUDGE