

IN THE HIGH COURT OF SINDH AT KARACHI

PRESENT:

Mr. Justice Khadim Hussain Tunio
Mr. Justice Amjad Ali Sahito

Spl. Crl. Anti-Terrorism Jail Appeal No.02 of 2025

Appellants : i. Muhammad Abid S/o Muhammad Ishaq
ii. Muhammad Kashif @ Daniyal S/o
Muhammad Ishaq through Ms. Anum
Salman Jamali, Advocate

Respondent : For State
Mr. Muhammad Iqbal Awan, Addl. P.G.,
Sindh

Date of Hearing : 20.02.2026

Date of Judgment: 26.02.2026

J U D G M E N T

Amjad Ali Sahito, J. Through the instant appeal, the appellants have impugned the Judgment dated 26.12.2024 passed by the learned Judge, Anti-Terrorism Court No.XVIII, Karachi in Special Case No.163/2024 arising out of the FIR No.72/2024 U/s 353, 324, 337-D, 337F(i), 34 R/w Section 7 ATA, 1997, Special Case No.163-A/2024 arising out of FIR No.73/2024 U/s 23(i)(a) R/w 25, SAA, 2013 and Special Case No.163-B arising out of FIR No.74/2024 U/s 23(i)(a) R/w 25, SAA, 2013 all are registered at PS CTD, Karachi; whereby both the appellants were convicted for the offence u/s 7(1)(c) ATA, 1997 R/w section 324 PPC and sentenced to undergo R.I. for 10 years and fine of Rs.25,000/- each and in default of payment of fine, they shall further undergo for 02 months S.I. They were also convicted U/s 7(1)(h) of ATA, 1997 R/w section 353 PPC and sentenced to undergo R.I. for 05 years and fine of Rs.25,000/- each and in default of fine, they shall further undergo for 02 months S.I. Accused Muhammad Abid was convicted U/s 337-D PPC and sentenced him to undergo R.I. for 03 years and to pay

Arsh i.e. 1/3 of Diyat. Accused Muhammad Abid was also convicted U/s 337-F(i) PPC and sentenced him to undergo R.I. for 01 year as Tazir. Accused Muhammad Abid was further convicted U/s 23(i)(A) SAA, 2013 and sentenced him to undergo R.I. for (03) years and fine of Rs.10,000/- and in default of payment of fine, he shall further undergo for 02 months S.I. Accused Muhammad Kashif was convicted U/s 23(i)(A) SAA, 2013 and sentenced to undergo R.I. for 03 years and fine of Rs.10,000/- and in default of payment of fine, he shall further undergo for 02 months S.I. All the sentences shall run concurrently and the benefit of Section 382-B Cr.P.C. was extended in favour of the appellants.

2 Precisely stated, the prosecution case is that on 13.05.2024, ASI Mazhar Hussain Brohi of CTD/SRA Cell Operation, Karachi, along with HC Latif-u-Din, PC Muhammad Fayaz, PC Muhammad Younus, PC Mirza Danish Baig and Driver PC Daniyal Mustafa, was on patrol in official mobile No. SPB-833 within District Korangi for the purpose of apprehending proclaimed offenders, absconders, and terrorists.

3. During patrolling at Korangi 28 Crossing within the jurisdiction of Police Station Zaman Town, a spy informer conveyed information that two persons allegedly involved in street crimes and multiple robberies, particularly targeting individuals withdrawing cash from banks, were present at Café Crossing on Main Korangi Road after parking their motorcycle. Acting upon such information, the police party reached the indicated place at about 10:15 p.m. Upon identification by the informer, the suspects attempted to flee. When the police sought to apprehend them, they allegedly opened fire upon the police party with intent to commit murder and endanger their lives.

4. In response, the ASI made firing from his official 9mm pistol due to panic among the public. One accused fled towards Korangi and was chased by HC Latif-u-Din and PC Muhammad Younus, while the other ran into an adjacent street towards a populated area and was pursued by the ASI along with PC Muhammad Fayaz and PC Mirza Danish Baig. During the chase, the accused allegedly continued firing, and in retaliation the ASI

fired back, as a result of which one accused sustained firearm injuries near Street No. 11, Sector-D, Bhattai Colony, Korangi, fell down, and was apprehended.

5. Shortly thereafter, the remaining police officials arrived with the second accused, who had also been apprehended along with a pistol and motorcycle. The injured accused disclosed his name as Muhammad Abid and was found with firearm injuries on his abdomen, right arm, and left leg. As no private person agreed to act as mashir, subordinate police officials were associated as witnesses. From accused Muhammad Abid, one unlicensed black 9mm pistol bearing inscription "STOEGER COUBAR 8000 F," with obliterated number and loaded with one round, was recovered. Upon personal search, a green Nokia mobile phone with Telenor SIM and Rs.500/- were recovered.

6. The second accused disclosed his name as Kashif @ Daniyal son of Muhammad Ishaq. From him, one 9mm steel-coloured pistol inscribed "Zigana Tisas Turkiye," loaded with one round in the chamber and two in the magazine, was recovered. Upon his personal search, a white Nokia mobile phone with Zong and Jazz SIMs, original CNIC, and Rs.700/- were recovered. It was further alleged that due to firing by accused Muhammad Abid, three passersby sustained injuries. The accused were arrested at the spot, and injured accused Muhammad Abid was shifted to Jinnah Postgraduate Medical Centre via Cheepa ambulance for treatment.

7. The recovered arms, ammunition, and personal search articles were sealed at the spot and relevant mashirnamas were prepared. The motorcycle bearing registration No. KEC-1743 was verified through CPLC and reportedly found to have been stolen from the jurisdiction of Police Station Shah Faisal Colony; it was seized under Section 550 Cr.P.C. The ASI also sealed his official weapon for forensic examination. After completing documentation, the FIRs were registered upon learning the names of injured passersby, Danish Saeed and Maroof.

8. Investigation was thereafter entrusted to PI Muhammad Tahir Khan of CTD/SRA Cell Operation, Garden, Karachi. The

Investigating Officer inspected the place of occurrence, collected eleven empty 9mm shells and blood-stained earth, prepared site sketches and memos, recorded statements under Section 161 Cr.P.C., collected blood-stained clothes from the hospital, secured CCTV footage, and deposited case property with the Forensic Science Laboratory. He interrogated the accused, obtained their criminal records, sought call data records, verified motorcycle details from AVLIC and ETO, secured forensic and serology reports, and obtained medico-legal certificates of the injured persons.

9. Upon completion of investigation and codal formalities, reports under section 173 Cr.P.C. (challans) were submitted against the accused before the learned Administrative Judge, Anti-Terrorism Courts, Karachi Division.

10. After usual investigation, charge against the accused persons was framed at Ex.04, to which they pleaded not guilty and claimed to be tried, vide their pleas recorded at Ex.04/A and Ex.04/B.

11. In order to substantiate its case, the prosecution examined as many as 14 witnesses and placed on record all relevant documentary evidence, marked as Ex.5 to 21/A-18. Thereafter, the learned APG for the State closed the prosecution side through his statement recorded at Ex.22.

12. The statement of accused persons U/s 342 Cr.P.C was recorded at Ex.23 & Ex.24 wherein they denied the allegations of prosecution and claimed to be innocent and booked falsely by the police. They further stated that the document and witness produced by the prosecution are managed and private witnesses have deposed against them due to influence of police. They further stated that they were apprehended by the police on 12.05.2024 as there were certain cases pending against them. On 13.05.2024 police fired upon them. They pray for justice.

13. Further, learned APG for the State moved an application for recording additional statement of accused U/s 342 Cr.P.C. regarding the material evidence of USB. Accordingly, additional statement of accused persons were recorded at Ex.26 & Ex.27

wherein they stated that USB produced by the prosecution is false and managed. They further stated that they are innocent and pray for mercy.

14. The learned trial Court, after hearing the parties and on assessment of the evidence, convicted and sentenced the appellants as stated above vide judgment dated 26.12.2024 which has been impugned by the appellants before this Court through the instant Appeal.

15. Learned counsel for the appellants contended that the appellants are innocent and have been falsely implicated in these cases; that the impugned judgment is contrary to law and facts; that the learned trial Court has misappreciated the evidence, resulting in the wrongful conviction of the appellants; that there are material contradictions in the testimonies of the prosecution witnesses which create serious doubt with respect to the prosecution case. She further argued that the alleged recovery of weapon has been foisted upon the appellants by the police officials with mala fide intention and ulterior motives, and the entire prosecution story is a managed and concocted one; that the USB produced by the prosecution is likewise a fabricated and manipulated piece of evidence, lacking legal sanctity and independent corroboration; that the alleged injuries sustained by the passersby may have been the result of retaliatory firing by the police party, therefore, the accused cannot be held solely or vicariously liable for the same; that despite the incident having allegedly occurred in a thickly populated area, no independent person from the locality has been associated as mashir, which creates serious doubt about the veracity of the prosecution case; that it is a well-settled principle of law that where the prosecution version is doubtful or suffers from infirmities, the benefit of such doubt must invariably be extended to the accused as conviction cannot be based on conjectures, suspicion, or a tainted version of events.

16. She further argued that as per the jail roll, both the appellants have already undergone 1 year, 8 months and 1 day of their substantive sentence (excluding remission). Learned

counsel further submitted that the appellants are the sole breadwinners of their respective families and have already undergone a substantial portion of their sentence. Lastly, she prays for acquittal of the appellants and further added that if acquittal of the appellants is not feasible then their sentence may be reduced to the period already undergone by them. In support of her contentions, he has relied upon the cases reported as (1) 2018 SCMR 772 (Muhammad Mansha vs. The State), (2) PLD 2020 Supreme Court 61 (Ghulam Hussain and others vs. The State and others), (3) PLD 2009 Supreme Court 11 (Bashir Ahmed vs. Muhammad Siddique and others), (4) 2023 PCRLJ 764 (Fiaz Muhammad Pitafi and another vs. The State), (5) 1995 SCMR 1345 (Tariq Pervez vs. The State), (6) 2025 MLD 975 (Khalil Khan and another vs. The State) and (7) 2022 PCRLJ 920 (Owais and another vs. The State).

17. Conversely, the learned Additional Prosecutor General, Sindh, fully supported the impugned judgment and contended that due to firing of the appellants, two passerby were injured and subsequently, the accused were apprehended by the police at the place of occurrence, therefore, they are not entitled for acquittal. However, he reluctantly agrees to the proposal so made by learned counsel for the appellants.

18. We have heard the learned counsel for the appellants as well as learned Addl. Prosecutor General, Sindh and have minutely examined the material available on record with their able assistance.

19. Upon careful appraisal of the record, it transpires that PW-2 ASI Mazhar Hussain, being the head of the patrolling party, deposed that on the relevant date he departed from the CTD. Garden along with his subordinate staff for the purpose of searching and arresting absconders and terrorists in the area of Korangi. During patrol, he encountered a spy informer who conveyed that two accused persons, allegedly required by the police in various criminal cases, were present at Café Korangi Crossing and were armed with weapons. He stated that he spent approximately five to ten minutes in verifying and gathering

further information, briefed his staff accordingly, and thereafter proceeded to the pointed location.

20. According to his testimony, upon noticing the arrival of the police party, the accused persons resorted to firing in order to evade arrest and fled in two different directions. The police party pursued them. One accused ran towards Korangi and was chased by HC Latif-u-Din and PC Muhammad Younus Siyal, whereas the other fled towards a nearby populated street and was pursued by the ASI himself along with accompanying constables. During the chase, the accused allegedly fired upon the police, whereupon the ASI retaliated, resulting in firearm injuries to accused Muhammad Abid, who was subsequently apprehended at Street No. 11, Sector-D, Bhattai Colony, Korangi. Both accused were arrested at the scene, and from their possession unlicensed 9mm pistols, mobile phones, SIM cards, CNIC, and cash amounts were recovered. He further deposed that he prepared the memos of arrest and recovery in the presence of police witnesses. Although he stated in evidence that he had requested private persons to act as mashirs of arrest and recovery, none agreed. He produced the memo of arrest and recovery at Exh. 06/D. He also lodged three FIRs pertaining to the incident, bearing Nos. 72, 73, and 74 of 2024, which were exhibited as Exh. 06/E, 06/F, and 06/G respectively.

21. He further admitted that during the course of investigation it transpired that three private individuals sustained injuries as a result of firing allegedly made by accused Muhammad Abid. He recalled the names of two injured persons as Danish and Maroof but did not remember the name of the third injured person. The Investigating Officer prepared memos of inspection, seizure, and place of occurrence, which were produced at Exh. 06/L. Two sketches of the place of occurrence were exhibited at Exh. 6/M and 6/N, which he affirmed to be correct and bearing his signatures. He also deposed that the Investigating Officer viewed the CCTV footage of the incident in his presence, saved the same in a USB device, sealed it before him, and prepared a memo of seizure, obtaining his signatures thereon as well as on the sealed

parcel. The memo of seizure was produced at Exh. 6/Q, which he confirmed to be correct and duly signed by him.

22. In cross-examination, he admitted that the accused initially commenced firing from outside the hotel and that he made retaliatory firing. He stated that at the time of exchange of fire the accused were at a distance of approximately 40 to 45 paces. He conceded that, except for himself, no other member of the police party fired upon the accused. He further admitted that accused Kashif was not arrested in his presence by HC Latif-u-Din and that, in fact, accused Kashif was apprehended by PC Younus and HC Latif-u-Din. He acknowledged that the distance between the place of arrest of accused Kashif and that of accused Abid was approximately half a kilometer. He also admitted that when leaving CTD Garden, Munshi Liaquat did not accompany them and arrived at the spot later. Moreover, he conceded that he and his subordinate staff were in civil dress at the time of the incident. He further admitted that, as per Entry No. 3, no weapon had been issued to him at the time of departure from CTD Garden; however, he voluntarily stated that one official 9mm weapon was already in his possession.

23. The prosecution next examined PW-3, HC Muhammad Latif-u-Din, who substantially corroborated the version advanced by PW-2 in his examination-in-chief. However, during cross-examination, he conceded that accused Kashif, while fleeing, had fired upon the police party. He admitted that neither he nor his companion, PC Muhammad Younus, retaliated by firing at the accused. He further acknowledged that the distance between the place of arrest of accused Muhammad Abid and that of accused Kashif was approximately half a kilometer. Significantly, PW-3 did not state in his deposition that ASI Mazhar Hussain (PW-2) had made any retaliatory firing upon the accused persons.

24. The prosecution also examined PW-7, Maroof, an injured passerby. He deposed that he is a Suzuki pickup driver and owns two vehicles, one driven by himself and the other by his employed driver. According to him, on 13.05.2024 at about 10:00 to 10:15 a.m., he left his residence and reached Mangal Bazar

near Korangi Crossing, where he observed a man running while firing shots, with police officials chasing him. For his safety, he stopped his vehicle and alighted; however, during the incident, he sustained a gunshot injury to his abdomen. Thereafter, people gathered at the scene, and fellow drivers from the Suzuki stand shifted him to Indus Hospital in his own vehicle for treatment. He later came to know that another person had also sustained injuries in the firing. On 19.05.2024, police officials visited his hospital ward and recorded his statement.

25. In cross-examination, he admitted that he did not observe how many shots were fired during the encounter. He further conceded that he had not seen the police officials firing, nor had he actually seen the accused firing, though he voluntarily stated that he had seen a pistol in the accused's hand. He categorically stated that he did not know who had fired the bullet that struck him. He denied the suggestion that he was deposing falsely before the Court.

26. Thereafter, the prosecution examined PW-9, Danish, another injured passerby. He deposed that he was employed as an electrician at Karachi Public School. On the relevant date and time, his employer had directed him to bring paan, whereupon he proceeded to a nearby paan shop. At that time, he observed a person running with a pistol in his hand, followed by police officials. According to him, the police warned the person to stop; however, instead of complying, he turned and opened fire. As a result of such firing, he sustained a gunshot injury to his shoulder. Despite being injured, he rode his motorcycle back to the school and informed his employer, Mustafa Khan, who advised him to seek treatment at Jinnah Hospital and also informed his brother. He received medical treatment at Jinnah Hospital, where he noticed that the accused, later identified as Muhammad Abid, had also been brought in an injured condition. After receiving treatment, he returned home. On 14.05.2024, he reported the incident to the police.

27. In cross-examination, he admitted that two to three police officials were chasing the accused and that they were in uniform.

He stated that he sustained the gunshot injury on his right shoulder and that his shirt became stained with blood upon reaching the school. He further admitted that his blood-stained shirt was not taken into custody by the police. He also conceded that in his statement recorded under Section 161 Cr.P.C., he had not stated that he could recognize the accused if produced before him.

28. Upon careful evaluation of the entire record, material contradictions and inconsistencies become apparent in the prosecution case. PW-2, ASI Mazhar Hussain, asserted that he alone resorted to retaliatory firing from a distance of approximately 40–45 paces. However, PW-3, HC Muhammad Latif-u-Din, did not corroborate that the said ASI had fired at all, nor did he state that either he or PC Muhammad Younus returned fire despite the alleged firing by the accused. *“Due to the rush of public neither ASI Brohi fired nor police party”*.

29. Furthermore, PW-7 Maroof admitted during cross-examination that he did not witness who had fired the shot that struck him and had not actually seen the accused firing, though he claimed to have seen a pistol in his hand. PW-9 Danish deposed that although he sustained a firearm injury, his blood-stained shirt was never secured by the police. He also stated that the police officials were in uniform, whereas PW-2 ASI Mazhar Hussain, being the head of the patrolling party, categorically stated that he and his subordinate staff were in civil dress at the time of the incident.

30. Significantly, the most material injured eyewitness, Maroof, did not substantiate the prosecution version in material particulars. His statement was recorded with a delay of about five days, for which no plausible explanation was furnished by the Investigating Officer. PW-9 Danish further deposed that after sustaining injury he proceeded to Jinnah Hospital and that the accused also arrived there in an injured condition. After receiving treatment, he returned home. Admittedly, he did not immediately inform the police that he had sustained injury during the alleged encounter at the hands of the accused persons.

31. The medical evidence further compounds these discrepancies. PW-11 Dr. Abdul Basit deposed that on 04.07.2024, while performing duty as MLO, injured Maroof appeared before him at about 6:40 p.m. with a police letter issued by Inspector Muhammad Tahir for medical examination, with history of firearm injury allegedly sustained on 13.05.2024. It is noteworthy that although the informant claimed on the date of incident that Maroof had sustained injury, he was referred for medico-legal examination after a delay of more than 45 days, for which no satisfactory explanation was provided by the Investigating Officer.

32. Similarly, PW-8 Dr. Osama deposed that on 13.05.2024 at about 12:00 noon, injured Danish was brought by his brother for medical treatment, and upon examination he found a firearm injury on his shoulder and issued a medico-legal certificate (Exh. 12/D). This version materially differs from the testimony of Danish himself, who stated that after sustaining injury he informed his employer, went to Jinnah Hospital, observed that the accused had also been brought there in injured condition, and thereafter returned home following treatment.

33. Although injured witness Danish was medically certified to have sustained a firearm injury, material corroborative evidence, namely his blood-stained clothing, was admittedly not taken into custody by the police, thereby depriving the prosecution of potentially valuable forensic support.

34. Likewise, Dr. Nazia Lodhi of Indus Hospital confirmed that injured Maroof had suffered a serious gunshot wound to the abdomen necessitating surgical intervention; however, the said injured was unable to attribute the source of the firearm discharge or identify the person responsible for causing the injury.

35. Furthermore, the Investigating Officer conceded that despite the presence of private individuals at the scene, no independent witness was associated in the proceedings. He also admitted that the CCTV footage allegedly collected during investigation was not subjected to forensic examination, and that

certain official records were procured through informal means rather than through prescribed legal procedure.

36. These material contradictions, inconsistencies, and unexplained delays create serious doubt regarding the veracity of the prosecution version and the manner in which the alleged incident is stated to have occurred.

37. In order to prove recovery of the allegedly stolen motorcycle, the prosecution examined PW-12 Adnan Khan, who deposed that the Investigating Officer approached him and informed him that two accused had been arrested by CTD and that a motorcycle recovered from them was registered in his name. However, he stated that he had neither purchased the said motorcycle nor did he know how to ride a motorcycle.

38. Lastly, the prosecution examined the Investigating Officer, Inspector Muhammad Tahir. In his cross-examination, he admitted that at the time of inspection numerous private persons were present at the spot. He stated that the distance between Café Crossing and the place of arrest of accused Kashif was about 20 paces, whereas accused Abid was arrested at a distance of approximately half a kilometer from Café Crossing. He conceded that there were many houses near the place of arrest of accused Abid but he did not call any resident to witness the proceedings. He further admitted that although the memo of inspection (Exh. 6/L), prepared on 13.05.2024, mentioned that a USB containing CCTV footage had been obtained during inspection, in fact he received the USB from one Rozuddin on 19.05.2024. He also admitted that he did not produce the forensic report of the USB before the Court.

39. He further conceded that he did not formally send a letter to AVLIC for obtaining the motorcycle record; rather, he obtained the report through WhatsApp from a computer operator named Saeed of AVLIC, whom he did not cite as a witness. He stated that on the day of occurrence he was performing duty at CTD Garden and received the case papers for investigation from ASI Mazhar. He handed over the case property to the Head Muharrar at CTD Civil Line but kept it at CTD Operation Garden when proceeding

to inspect the place of incident. He denied the suggestion that ASI Mazhar Brohi had not disclosed that the 9mm pistol was his personal property.

40. The informant, ASI Mazhar Hussain, deposed that he had departed from CTD along with his team for the purpose of apprehending absconders; however, he failed to produce or place on record any list of such absconders to substantiate his assertion that he had in fact left the police station for the stated purpose. The absence of such documentary support casts doubt upon the veracity of his version in this regard.

41. In their statements recorded under Section 342 Cr.P.C., the appellants contended that they were arrested on different dates and that the police had fired upon them and subsequently foisted a false case against them.

42. Learned counsel for the appellants has further argued that Section 7 of the Anti-Terrorism Act, 1997, is not attracted in the present case, as the police have wrongly applied the Anti-Terrorism provisions to an offence that was, at best, an ordinary crime motivated by personal gain. It is contended that the learned trial court erred in convicting the appellants under Sections 324 PPC. It is an admitted position that no member of the police party sustained any injury that could justify invoking Sections 6 or 7 of the Anti-Terrorism Act. In *Ghulam Hussain and others v. The State and others* (PLD 2020 SC 61), the Hon'ble Supreme Court held that even heinous offences specified under Entry No. 4 of Schedule III to the Anti-Terrorism Act do not, by themselves, constitute terrorism. The Court clarified that mere shock, horror, dread, or disgust generated in society does not transform a private crime into an act of terrorism; terrorism is a distinct concept that entails commission of an offence with the design or objective of destabilizing the Government, disturbing public order, or targeting a section of society to achieve political, ideological, or religious ends.

43. In the present case, there is no evidence whatsoever to suggest that the accused acted with any objective to destabilize the Government, disturb society, or harm any segment thereof in

pursuit of political, ideological, or religious motives. Furthermore, only an offender who commits a scheduled offence with the intention to strike terror in the people or in a section of the people falls within the jurisdiction of the Anti-Terrorism Court. Accordingly, the sentence awarded under Section 7(1)(c) and 7(1)(h) of the Anti-Terrorism Act, 1997, through the impugned judgment, is hereby set aside.

44. Further, the record reflects that firearm injuries were sustained by appellant Abid as well as two private persons, namely Maroof and Danish; however, injured witness Maroof, in his cross-examination, categorically failed to attribute the shot to any specific person. Moreover, except for PW-2 ASI Mazhar, no other member of the police party asserted that retaliatory fire was made. There is also no cogent evidence demonstrating repeated or intentional firing by the appellants directed at the police officials so as to attract the essential ingredients of Sections 324, 337-D, and 337-F(i) PPC. In the absence of evidence indicating that the appellants repeated firearm shots at the police party, therefore, the provisions of Section 324, 337-D, and 337-F(i) PPC, are not met. Accordingly, the conviction under these sections is liable to be set aside.

45. Insofar as the recovery of the 30-bore pistol is concerned, PW-7 Maroof, an injured passerby, admitted in his cross-examination that he had not seen the accused while firing, though he voluntarily claimed to have seen a pistol in his hand. Similar assertions were made by PW-9 Danish, another injured passerby, who stated that he saw a person running with a pistol in his hand. Therefore, recovery of the weapon stands duly corroborated by ocular evidence. Accordingly, the conviction under Section 23(i)(A) of Sindh Arms Act, 2013 awarded to the appellants is hereby maintained.

46. In view of the discussion made hereinabove regarding the plea for reduction of sentence, and considering the proposal advanced by learned counsel for the appellants seeking reduction of the sentence to the period already undergone, we are of the opinion that the present matter warrants a departure from the

ordinary practice of determining the quantum of sentence. The Jail Roll dated 02.02.2026 reflects that the appellants have physically served a period of 01 year, 08 months, and 01 day upto 04.02.2026, which becomes a substantial portion of their total sentence.

47. In such circumstances, and in our considered view, the ends of justice both in terms of deterrence and reformation would be adequately met if the sentence awarded to the appellants is reduced to the period already undergone by them. Accordingly, the sentences awarded to the appellants for an offence under section 353 PPC and for an offence under section 23 (i) A Sindh Arms Act, 2013 are hereby modified and reduced to the extent of the period they have already served, which shall be deemed to include the remaining portion of their substantive sentence. Consequently, the instant appeal is **dismissed**, subject to the modification that the sentence, including the fine, stands reduced to the period already undergone. The appellants shall be released forthwith if they are no more required in any other custody case.

JUDGE

JUDGE

PS/Kamran