

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Acquittal Appeal No. S- 48 of 2025.

(Ghulam Murtaza vs. Dildar Khan @Dildar Ali and another).

Before;

Mr. Justice Ali Haider 'Ada'

Fresh case

1. For orders on office objection.
2. For orders on M.A NO.2337/2025 (Ex/A).
3. For hearing of main case.

Appellant : Ghulam Murtaza Gurgej

Respondents : Dildar Khan @ Dildar Ali & another

Date of hearing : 27.02.2026

Date of decision : 27.02.2026.

JUDGEMENT

Ali Haider 'Ada' J; On the last date of hearing, no one appeared, nor was any intimation received. The matter pertains to the period 28.04.2025, yet even today, no one is in attendance.

2. Perusal of the record reflects that Ghulam Murtaza, the present appellant, filed the instant appeal against the acquittal of respondents No.1 and 2. The learned trial Court, on 27.02.2025, acquitted both respondents after a full-fledged trial of the case. The acquittal is, therefore, assailed before this Court.

3. The crux of the case is that the respondents, out of enmity, allegedly caused injuries to the complainant. The incident was reported on 05.01.2024, while the date of the incident is mentioned as 26.12.2023. After registration of the FIR, the challan was submitted, and the trial concluded.

4. Perusal of the record shows that the learned trial Court, on the admission of the complainant, noted that the respondents/accused challenged the medical certificate before the medical board, which declared the injury report incorrect. Furthermore, after recording evidence, the trial Court observed major discrepancies and contradictions on the record, giving rise to doubtful circumstances. Consequently, the learned trial Court opined that the prosecution had failed to prove the guilt of the respondents/accused beyond a reasonable doubt, and in such circumstances, acquitted the respondents/accused.

5. In view of the above reasons, no interference is warranted in the impugned judgment. It is settled law that the scope of interference in appeals against acquittal is narrow. There is a heavy burden on the prosecution, as there exists a presumption of double innocence. Reliance is placed on **Fida Hussain alias Saboo v. The State, 2025 SCMR 993**.

6. Accordingly, the instant Criminal Acquittal Appeal, being devoid of merit, is hereby **dismissed** along with the listed application.

JUDGE