

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Rev. Application No.S-39 of 2026
[Hafeez-ur-Rehman versus The State]

Applicant by: Mr. Imtiaz Ali Channa advocate
Complainant by: Mr. Nisar Ahmed Kolachi advocate
State by: Mr. Khalid Hussain Lakho D.P.G
Date of hearing 15.06.2026
Date of Order 15.06.2026

ORDER

TASNEEM SULTANA, J: Through this Criminal Revision Application, the applicant/convict Hafeez-ur-Rehman son of Budho Khan has assailed the judgment dated 15.10.2025 passed by the learned Civil Judge & Judicial Magistrate/Judge Consumer Protection Court, Dadu, in Criminal Case No.80 of 2025, arising out of Crime No.265 of 2024, registered at Police Station A-Section Dadu, under Sections 489-F, 452, 506(2), 34, P.P.C., whereby the applicant was convicted under Section 489-F, P.P.C. and sentenced to suffer imprisonment for eighteen months with fine of Rs.30,000/- and, in case of default in payment of fine, to further undergo simple imprisonment for two months. The applicant thereafter preferred Criminal Appeal No.07 of 2025 before the learned Additional Sessions Judge-II, Dadu, which was dismissed vide judgment dated 07.03.2026, maintaining the conviction and sentence awarded by the learned trial Court.

2. Brief facts of the prosecution case are that the complainant Mst. Yasmeen Lashari alleged that after her marriage with Mehtab Ali, son of the applicant, the applicant obtained an amount of Rs.50,00,000/- from her through her father for business purpose with assurance to return the same within one month. Upon demand, the applicant issued cheque bearing No.31435460, drawn on National Bank of Pakistan, for Rs.50,00,000/-, which, on presentation, was dishonoured due to insufficient funds. It was further alleged that after issuance of legal notice, the applicant, along with two unknown persons, came to the house of the complainant's father, issued threats and thereafter, on the direction of the learned Ex-Officio Justice of Peace, the present F.I.R. was lodged.

3. During hearing of the matter, learned counsel for the applicant/convict filed two applications; one under Section 345(5), Cr.P.C. seeking permission/leave of this Court to compound the offence at this stage, and the other under Section 345(6), Cr.P.C. for acceptance of compromise and acquittal of the applicant/convict. Both applications are duly signed by the complainant as well as the applicant/convict and are supported by affidavit of the complainant Mst.

Yasmeen Lashari. It is stated therein that the matter has been amicably settled between the parties through intervention of Nek Mards, that the complainant has forgiven the applicant in the name of Almighty Allah without receiving any compensation, and that she has no objection if the applicant is acquitted of the charge. The same are taken on record.

4. Learned counsel for the complainant submits that the complainant has voluntarily entered into compromise with the applicant through intervention of Nek Mards; that she has forgiven the applicant in the name of Almighty Allah without receiving any compensation; and that she has no objection if the applicant is acquitted of the charge. The complainant, present in Court and identified by her learned counsel, confirms the contents of the compromise applications and affidavit and states that the compromise has been effected without any pressure, coercion or undue influence.

5. Learned counsel for the applicant submits that the offence under Section 489-F, P.P.C. is compoundable; therefore, the compromise may be accepted, the impugned judgments may be set aside and the applicant may be acquitted of htre charge. Learned D.P.G. Sindh has no cavil to the proposition so put forward by the parties.

6. Heard. Record perused.

7. It appears from the record that the applicant was convicted under Section 489-F, P.P.C., whereas he was exonerated from the charge under Sections 452 and 506(2), P.P.C. by the learned trial Court. The offence under Section 489-F, P.P.C. is compoundable and the complainant, being the person in whose favour the cheque was issued, is competent to compound the same. Since the compromise has been effected voluntarily between the parties and the complainant has categorically stated that she has no objection if the applicant is acquitted, there appears no legal impediment in accepting the compromise. Accordingly, the application under Section 345(5), Cr.P.C. seeking permission/leave to compound the offence at this stage is allowed. Consequently, the application under Section 345(6), Cr.P.C. is also allowed; the compromise is accepted and, in terms of Section 345(6), Cr.P.C., the same shall have the effect of acquittal of the applicant. Resultantly, the instant Criminal Revision Application is allowed by way of compromise. The judgment dated 15.10.2025 passed by the learned Civil Judge & Judicial Magistrate/Judge Consumer Protection Court, Dadu, in Criminal Case No.80 of 2025, as well as the judgment dated 07.03.2026 passed by the learned Additional Sessions Judge-II, Dadu, in Criminal Appeal No.07 of 2025, are hereby set aside to the extent of conviction and sentence of the applicant under Section 489-F, P.P.C. Consequently, the applicant/convict Hafeez-ur-Rehman son of Budho Khan is acquitted of the

charge under Section 489-F, P.P.C. by way of compromise. He is present on bail; his bail bonds stand cancelled and surety is discharged.

8. The Criminal Revision Application stands disposed of along with pending application(s) in the above terms.

JUDGE