

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Appeal No.S-02 of 2026

Appellant : Hasnain son of Abdul Rehman
Through Mr.Ishfaque Ahmed Lanjar, Advocate

The State : Through Mr.Ataf Hussain Khokhar, D.P.G

Date of hearing : 15.07.2026

Date of Order : 15.07.2026

ORDER

KHALID HUSSAIN SHAHANI, J: The appellant Hasnain son of Abdul Rehman convicted by the court of learned Additional Sessions Judge-I, Badin, in Sessions Case No.685 of 2022, emanating out of FIR No.53 of 2022, offenses punishable under Sections 320, 279, 337-G PPC, registered at Police Station Badin, District Badin and sentenced as under:-

- *For offence u/s 320 P.P.C for causing Qatl-i-Khata by rash and negligent driving of the victim/deceased Haji Muhammad son of Muhammad Ramzan and sentenced to undergo simple imprisonment for five (05) years, in addition to payment of Diyat, amounting to Rs.98,28,670/- (as per Notification dated:18-08-2025) to the legal heirs of the victim deceased Haji Muhammad son of Muhammad Ramzan, within the period of 06 months from today.*
- *For offence u/s 279 PPC for rash driving on a public way and sentenced to undergo simple imprisonment for six (06) months and a fine of Rs.3,000/-, and in case of default in payment of fine, he shall undergo simple imprisonment for seven (07) days more.*
- *The appellant is also convicted (337-G P.P.C), for causing injuries to Muhammad Rehman son of Ghulam Rasool under Section 337-A(i) P.P.C and sentenced to payment of Daman amounting to Rs.20,000/-, to the victim.*

- *For the injury falling under Section 337-F(vi) P.P.C, he is also convicted and sentenced to payment of Daman amounting to Rs.50,000/- to the victim.*
- *The appellant is also convicted for causing injuries to the victim Ali Hassan son of Ali Asghar under Section 337-A(i) PPC and sentenced to payment of Daman amounting to Rs.20,000/- to the victim.*
- *For causing injury under Section 337-F(v) PPC and is sentenced to pay Daman, amounting to Rs.40,000/-. In default of payment of Daman awarded above, the accused shall be dealt in accordance with the Section 337-Y P.P.C.*

2. During the pendency of the appeal, the appellant submitted applications for compromise, asserting that an amicable settlement had been reached with the legal heirs of the deceased, Haji Muhammad Mallah. Consequently, this Court, exercising its authority under Section 345(2) Cr.P.C., granted permission for the compromise and referred the matter to the learned trial Court for an inquiry to ascertain the genuineness, voluntariness, and legal competence of the parties to compound the offense. The learned trial Court, in its comprehensive report dated 16.06.2026, confirmed the facts pertinent to the compromise. The deceased Haji Muhammad Mallah was survived by below mentioned 05 legal heirs:-

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| 1. | Mst.Zulekhan | widow | adult |
| 2. | Mst.Yasmeen | daughter | adult |
| 3. | Mst.Razia | daughter | adult |
| 4. | Ali Akbar | son | adult |
| 5. | Asghar Mallah | son | adult |

3. All the legal heirs, voluntarily appeared before the trial Court. They unequivocally waived their rights of Diyat and Daman or any compensation and expressly pardoned the appellant in the name of Almighty Allah. The learned Deputy Prosecutor General, representing the State, expressed no objection to the acceptance of the compromise. Furthermore, the report of the learned trial Court

definitively confirmed that the compromise is genuinely voluntary and was not procured through any form of coercion or duress.

4. Given that the main offense under Section 320 PPC is compoundable with the permission of the Court, and considering that all the legal heirs who are major have validly pardoned the appellant, this Court finds no legal impediment to the acceptance of the compromise.

5. In light of the foregoing, permission to compound the offence in pursuance of section 345(2) Cr.P.C is accorded, and the compromise between the parties is accepted under Section 345(6) Cr.P.C. Consequently, instant Cr. Appeal is allowed by way of compromise and impugned judgment dated 09.12.2025, passed by the learned Additional Sessions Judge-I Badin is set-aside and the appellant is acquitted of the charge, for which he was charged, tried, convicted and sentenced by the trial court with directions to be released. Accordingly, appeal is disposed of along with all pending application(s), in terms of the compromise.

JUDGE

AHSAN K. ABRO