

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Spl. CrI. Anti-Terrorism Appeal No. 2 of 2024
(Muhammad Faizan Vs. The State)
Spl. CrI. Anti-Terrorism Jail Appeal No. 10 of 2024
(Awais Ali Hashmi Vs. The State)
Confirmation Case No. 1 of 2024

DATE

ORDER WITH SIGNATURE OF JUDGES

1. For hearing of main case
2. For hearing of MA No.97/2024

30.04.2026

Mr. Moula Bux Bhutto Advocate for the Appellants
Syed Kausar Ali Zaidi Advocate for the Complainant
Mr. Muhammad Iqbal Awan, Additional Prosecutor General

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The learned Anti-Terrorism Court-IV, Karachi vide Judgment dated 20.12.2023 awarded death sentence to Awais Ali Hashmi, Muhammad Faizan, Muhammad Saeed and Iftikhar Ahmed Khatri in a case arising out of FIR No. 200 of 2020 registered under Sections 302, 365-A, PPC read with Section 7 of Anti-Terrorism Act, 1997 at Police Station Shahrah-e-Noor Jahan, Karachi which has been impugned in these appeals.

2. Mr. M. B. Bhutto, at the very outset, has pointed out that Appellant Awais Ali Hashmi in his Statement under Section 342 Cr.P.C. said that he wanted to record his statement on oath under section 340(2) Cr.P.C. Similarly, Appellant Muhammad Faizan wanted to put on record certain applications, however, unfortunately there seems to have been a lapse on the part of the learned trial Court, as neither Awais Ali Hashmi's statement on oath under Section 340(2) Cr.P.C. was recorded nor did the documents Muhammad Faizan want to present, come on record.

3. With the consent of both the counsels and the learned Additional Prosecutor General, the impugned judgment is set-aside. Case is

remanded back appeal to the learned trial Court for the limited point viz. for recording statement under Section 342 Cr.P.C. of only Awais Ali Hashmi and Muhammad Faizan afresh, so that they be given the opportunity, which due to an oversight, was taken away from them at the trial. After recording statement under Section 342 Cr.P.C. of both the accused a fresh judgment will be written. R&Ps be returned back to the trial Court immediately.

Both appeals stand disposed of in above terms. Consequently, the Reference sent by the learned trial Court is answered in negative.

JUDGE

JUDGE