HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD

Cr. Jail Appeal No.S-197 of 2017

[Nawaz vs. The State]

Appellant	:	**Nawaz S/o Allahdino Mallah** In person
Respondent	:	**The State** By Mr. Irfan Ali Talpur Deputy P.G Sindh
Date of hearing	:	23.09.2026
Date of decision	:	23.09.2026

O R D E R

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JAWAD AKBAR SARWANA J:- The appellant, Nawaz S/o Allah Dino Mallah, in this cr. jail appeal was acquitted of the offence under Section 302 PPC based on compromise between the parties u/s 345(6) Cr.P.C., subject to payment of diyat amount payable to the minor legal heirs of the deceased Ummar Mallah vide judgment dated 23.09.2014, passed by the learned Additional Sessions Judge, Tando Muhammad Khan, in FIR No.142 of 2011 under Section 302 PPC registered at P.S. Bulri Shah Kareem. As he was unable to pay the diyat amount, he was taken into custody/incarcerated and challenged the payment of diyat in this cr. jail appeal.

2. The appellant is present in person and states that he does not press the appeal as the diyat amount has already been deposited and he seeks withdrawal of the cr. jail appeal.

3. The cr. jail appeal was listed for hearing last on 05.08.2026 after nine years. As per the report dated 18.07.2026 filed by the Senior Superintendent / Officer Incharge, Central Prison & Correctional Facility, Hyderabad, the above-named appellant/convict was released from prison on 16.05.2019 upon payment of Diyat of Rs.21,74,577/- with the Ist Additional Sessions Judge, Tando Muhammad Khan, vide letter No.2538 dated 16.05.2019 issued by the learned Sessions Judge, Tando Muhammad Khan. The appellant, after being released from jail in 2019, did not pursue this cr. jail appeal on the issue of payment of diyat until 21.08.2026.

5. I have perused the copy of the letter of the learned Sessions Judge, Tando Muhammad Khan dated 16.05.2019 concerning the payment of Diyat, along with the Order concerning the sum paid as recorded by the Sessions Judge, Tando Muhammad Khan as forwarded to this (High) Court by the concerned Jail Superintendent. Learned D.P.G. categorically accords his “No Objection” to the dismissal of the cr. jail appeal as not pressed, as submitted by the appellant present in person. Accordingly, this cr. jail appeal stands dismissed as withdrawn in the above terms.

JUDGE

Sajjad Ali Jessar