

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT
LARKANA**

Criminal Jail Appeal No.S-05 of 2024

Before:
Mr. Justice Ali Haider 'Ada'

Appellant: Rashid son of Muhammad Usman Golo
Through Mr. Ahsan Ahmed Qureshi,
Advocate.

The State: Through Mr. Nazir Ahmed Bangwar,
Deputy Prosecutor General, Sindh.

Date of Hearing: 21.09.2026.
Date of Decision: 21.09.2026.
Date of Reasons: 05.10.2026.

J U D G M E N T

Ali Haider 'Ada' J:- Through the captioned criminal jail appeal, the appellant has called in question the legality and propriety of the judgment dated 23.01.2024, passed by the learned Additional Sessions Judge/MCTC, Kashmore, in Sessions Case No.201 of 2022, arising out of FIR Crime No.55/2022, registered for offences punishable under Sections 302, 311 and 34 PPC at Police Station Buxapur, District Kashmore, whereby the appellant was convicted for an offence punishable under Section 302(b) PPC read with Section 34 PPC and sentenced to suffer imprisonment for life as a Tazir, along with compensation of Rs.100,000/- in the shape of shares, payable to the legal heirs of the deceased (except the accused), and in default thereof, to suffer simple imprisonment for six months. The appellant was further convicted for an offence punishable under Section 311 PPC read with Section 34 PPC and sentenced to suffer imprisonment for life. Both sentences awarded to the appellant were ordered to run concurrently, with the clarification that the sentence in default of payment of compensation

shall run in addition to the substantive sentences. The benefit of Section 382-B Cr.P.C. was also extended to the appellant.

2. The factual background of the case, as depicted in the FIR lodged by complainant ASI Dil Murad Khan at Police Station Buxapur, is that on 09.06.2022, he, along with his subordinates, namely PC Adab Hussain Jakhrani, PC Muhammad Hassan and PC Moula Bux, left for patrolling in an official vehicle driven by DPC Janhwar. During the course of patrolling, they received spy information at Rano Stop at about 0550 hours that the accused, namely Rashid Ali son of Muhammad Usman Golo, along with his accomplices, was committing the murder of his wife, Mst. Jeewan d/o Mazar Khan, aged about 20/21 years, by strangulating her at village Gul Muhammad Golo, Taluka Kashmore, on the allegation of Karo-Kari. Acting upon such information, they proceeded to the pointed place and saw the above-named accused along with his companions, identified as Hairdin and Aijaz, both sons of Ghulam Nabi Golo, and Sherbaz son of Hairdin Golo. The accused Rashid Ali was holding a solar cable in his hand, while a lady was lying on the ground near him. Upon seeing the police party, the accused, along with his companions, threw the solar cable and fled from the scene. The womenfolk present there were weeping beside the dead body and, upon inquiry, disclosed the name of the deceased as Mst. Jeewan and stated that she had been killed by her husband/accused Rashid Golo by means of strangulation with a solar cable, while the other accused had caught hold of her by her hands and feet. Thereafter, the complainant took the solar cable into possession, inspected the dead body of the deceased and found a mark around her neck. He prepared the requisite memo and inquest report/Danistnama and Lash Chakas Form in the presence of the mashirs. Subsequently, the dead body was referred for postmortem examination through PC Adab Hussain. The complainant waited for the legal heirs of the deceased to lodge the FIR; however, none

appeared, whereafter he lodged the FIR against the accused on behalf of the State.

3. After usual investigation, the case was challaned before the competent Court, showing the present appellant in custody while the remaining accused were shown as absconders. Thereafter, the learned trial Court framed charge against the present appellant/accused on 23.08.2022, to which he pleaded not guilty and claimed trial.

4. The prosecution then led its evidence and examined PW-01 Tapedar Haji Khan Golo, who produced the site plan/sketch. PW-02 WMO/Dr. Saira Bano produced the Lash Chakas Form as well as the postmortem report of the deceased. PW-03 complainant/ASI Dil Murad Domki produced the relevant roznamcha entries, memo of inspection of the dead body of the deceased along with recovery of the solar cable, inquest report, memo regarding production of the last-worn clothes of the deceased and the FIR. PW-04 I.O./SIP Nawab Khan was examined, who produced the relevant roznamcha entries, memo of the place of incident and memo of arrest of the accused. PW-05 corpse bearer/PC Adab Hussain produced the receipt regarding the dead body, whereas PW-06 first mashir PC Muhammad Hassan and PW-07 co-mashir PC Muhammad Hussain were also examined. Thereafter, the prosecution closed its side.

5. The present appellant, in his statement recorded under Section 342 Cr.P.C., professed his innocence and prayed for justice. However, he neither examined himself on oath nor led any evidence in his defence. After hearing learned counsel for the parties, the learned trial Court delivered the impugned judgment, which has now been assailed through the instant jail appeal.

6. Learned counsel for the appellant argued that the present appellant is innocent and has falsely been implicated in the present case. He contended that there is no eye-witness to the actual occurrence and that the allegation of Karo-Kari has also not been

established through any independent evidence. In support of his contentions, learned counsel placed reliance upon the cases reported as 2011 SCMR 941, 2024 SCMR 1507, 2017 SCMR 724, PLD 2017 Supreme Court 681, 2001 P.Cr.L.J. 1636, PLD 2015 Supreme Court 77, PLJ 2013 SC 51, 2005 MLD 1545, 2001 P.Cr.L.J. 64, 2000 P.Cr.L.J. 1116, PLD 2018 Balochistan 11, PLD 2013 Balochistan 144, 2005 YLR 1163, 1992 MLD 2368, 2011 MLD 1919, 2022 MLD 2006, 2014 P.Cr.L.J. 1454 and PLD 2018 Supreme Court 703.

7. Conversely, learned Deputy Prosecutor General, Sindh, submitted that the matter pertains to an honour killing and that the appellant, being the husband of the deceased, is directly involved in the commission of the offence. He further submitted that the appellant himself levelled the allegation of Karo-Kari against the deceased and, therefore, does not deserve any leniency. He prayed for dismissal of the appeal and maintaining the conviction and sentence awarded by the learned trial Court.

8. Heard the arguments advanced by learned counsel for the parties and perused the material available on the record with due care and caution.

9. As per the material available on record and upon careful perusal thereof, it appears that the occurrence took place on 09.06.2022, whereas the present appellant was arrested on 19.06.2022. The allegation against him was that, on account of Karo-Kari, he committed the murder of his wife by strangulating her. As regards the medical evidence, the same materially corroborates the ocular account furnished by the prosecution witnesses. The postmortem report reflects that the hyoid bone of the deceased was fractured, which is consistent with death caused by strangulation. This medical finding, coupled with the recovery of the solar wire from the place of occurrence, lends substantial corroboration to the prosecution version regarding the manner and cause of death. The medical evidence, therefore, is not merely corroborative of the

factum of death but also supports the prosecution case with regard to the manner in which the deceased was killed.

10. Another significant aspect of the case is the motive. The prosecution case was that the deceased was murdered on the allegation of Karo-Kari. If there had been no such allegation and the appellant was not responsible for the murder, there was no plausible reason for him to remain silent and fail to disclose the circumstances in which his wife had met such a violent death. The appellant, even in his statement under Section 342 Cr.P.C., merely professed his innocence and alleged that the prosecution story had been managed, but did not furnish any explanation as to how the deceased sustained the fatal injuries or who was responsible for her death. His failure to offer any plausible explanation, in the circumstances of the case, assumes significance.

11. The allegation of Karo-Kari, therefore, cannot be treated as an insignificant circumstance. Honour killing is a grave violation of human rights and a serious societal menace, which undermines the rule of law. The fact that the deceased was murdered on account of an allegation of Karo-Kari establishes the motive attributed to the appellant. The Supreme Court has consistently deprecated the concept of so-called honour as a justification for taking the life of another person. In **Imdad Hussain v. The State, 2026 PCr.LJ 1094 (DB-Lahore)**, it has been observed that honour killing constitutes a grave violation of human rights and that the motive of killing on account of honour, when established from the record, cannot be treated as a mitigating circumstance.

12. The occurrence, according to the prosecution, took place during daytime and was witnessed by the police officials who reached the place of occurrence immediately after receiving spy information. Their presence at the relevant time is supported by the contemporaneous police record. The evidence of the prosecution witnesses, therefore, cannot be discarded merely because they

happened to be police officials. Their testimony is required to be assessed on the same principles as that of any other witness, and in the present case nothing material has been brought on record to establish that they had any reason to falsely implicate the appellant.

13. The ocular account further finds material corroboration from the medical evidence regarding the cause and manner of death, the injury sustained by the deceased and the use of the solar wire. The recovery of the solar wire from the place of occurrence, coupled with the strangulation mark and fractured hyoid bone noted in the postmortem examination, constitutes a chain of circumstances connecting the appellant with the commission of the offence. Reliance in this regard may be placed **upon Aijaz Ali v. The State, 2025 YLR 2555 (DB-Sindh), and Tariq v. The State, 2021 PCr.LJ 742.**

14. The ocular witnesses were subjected to cross-examination, yet their material assertions remained intact and consistent. Nothing favourable to the defence could be extracted from their testimony. There is also no material on record suggesting that these witnesses had any previous grudge, ill-will or animosity against the appellant so as to furnish a motive for his false implication. Significantly, the appellant, in his statement under Section 342 Cr.P.C., did not attribute any specific bias or animosity to the prosecution witnesses. The principle that a person cannot claim justification for killing his wife merely based on suspicion or an alleged act affecting his so-called honour is also well settled. In **Muhammad Abbas v. The State, PLD 2020 Supreme Court 620**, the Honourable Supreme Court considered a similar plea and held that an attempt by an accused to justify the killing of his wife on such grounds does not furnish a lawful justification for the offence.

15. The defence has also failed to establish any circumstance which could bring the case within the exception of grave and sudden provocation. Mere suspicion of illicit relations, or an allegation of Karo-Kari, does not provide a lawful justification for

taking the life of a person. In **Muhammad Shah Nawaz v. The State, 2019 MLD 455 (DB-Lahore)**, the ocular account, where consistent and confidence-inspiring, was found to have been sufficiently corroborated by the medical evidence, and the absence of any material contradiction or motive for false implication was considered significant. Likewise, in **Muhammad Qasim v. The State, PLD 2018 Supreme Court 840**, the Honourable Supreme Court considered a case in which the accused sought to justify the killing on the plea of ghairat and grave and sudden provocation. The Court examined the ocular and medical evidence as well as the surrounding circumstances and reiterated that such a plea cannot, by itself, exonerate an accused from criminal liability.

16. The legal position is even more explicit in **Bashir v. The State, 2006 PCr.LJ 1945 (DB-Lahore)**, wherein it was held that ocular evidence, when corroborated by medical evidence, can safely form the basis of conviction. In the present case, the prosecution evidence, when examined cumulatively, establishes a consistent and coherent chain. The appellant has failed to furnish any plausible explanation to dislodge the prosecution case or to create any reasonable doubt in the evidence brought on record.

17. For the foregoing reasons and discussion, the prosecution has fully established its case against the appellant beyond any reasonable doubt. Consequently, the conviction and sentence awarded by the learned trial Court do not call for any interference. Accordingly, the instant criminal jail appeal was dismissed vide short order dated 21.09.2026. The foregoing are the detailed reasons for the said short order.

JUDGE