

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**  
Crl. Appeal No.S-94 of 2019.

Date of hearing	Order with signature of Judge
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1. For hearing of M.A.No.3218/2020 (345(2) Cr.PC).
2. For hearing of M.A.No.3219/2020 (345(6) Cr.PC).
3. For hearing of M.A.No.4132/2019 (426 Cr.PC).

**12.10.2020**

Mr. Abdul Majeed Magsi, Advocate for the appellant.  
Mr. Ahmed Nawaz Chang, advocate for complainant.  
Ms. Safa Hisbani, A.P.G for the State.

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**Irshad Ali Shah-J;** The appellant has alleged to have caused fire shot injury to PW Muhammad Hashim with intention to commit his murder, he was booked, challaned, tried and convicted accordingly by learned 2<sup>nd</sup> Additional Sessions Judge, Umerkot vide his judgment dated 16<sup>th</sup> April, 2019, which was impugned by the appellant before this Court by preferring the instant Criminal Appeal.

2. During course of hearing of instant Criminal Appeal, the parties compounded the offence and to materialize such compromise they filed compromise application. Such application is supported by the affidavits of complainant Mir Hassan and injured/PW Muhammad Hashim, whereby they have recorded no objections to acquittal of the appellant by way of compromise by stating therein that they have pardoned the appellant in name of Almighty Allah without fear or favour by waiving the right of Qisas and Diyat against him.

3. Report of learned trial Court affirms genuineness of compromise arrived at between the parties.

4. It is contended by the learned counsel for the appellant that the parties have entered into compromise at the instance of their nekmarks, same to be accepted in the best interest of peace and brotherhood to be prevailed between the parties.

5. The learned A.P.G for the State and learned counsel for the complainant have recorded no objection to acceptance of the compromise between the parties.

6. I have considered the above arguments and perused the record.

7. The offence is compoundable one. The parties have entered into compromise, on intervention of their nekmarks, which appears to be true and voluntarily. In these circumstances, the compromise arrived at between the parties is accepted. Consequently, the appellant is acquitted of the offence, for which he has been charged, tried and convicted by learned trial court, he is in custody and shall be released forthwith if not required in any other custody case.

8. The instant appeal together with the listed application[s] are disposed of accordingly.

**J U D G E**

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