

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

Crl. Appeal No.S – 152 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

For hearing of MA-7250 of 2020.

11.12.2020.

Mr. Muhammad Sachal R. Awan, Advocate for appellants.

Ms. Sana Memon, Assistant Prosecutor General Sindh.

====

The facts in brief necessary for disposal of instant application is that the appellants on trial were found guilty for offence punishable u/ss 337-A(i) & 337-L(ii) PPC and were convicted and sentenced to undergo R.I for two years with 'Daman' of Rs.5000/- on each count payable to injured Mst. Rozina and Mst. Samina, in default thereof, to undergo S.I for one month more by learned Additional Sessions Judge-IV, Dadu vide his judgment dated 30.09.2020, which is impugned by the appellants before this Court, it is admitted to Regular hearing and in the meanwhile the appellants have sought for suspension of the operation of impugned judgment and their release on bail by way of listed application.

It is contended by learned counsel for the appellants that the conviction and sentence awarded to the appellants is short one and hearing of their appeal is not possible in near future. By contending so, he sought for suspension of the operation of the impugned judgment and release of the appellants on bail. In support of his contention he relied upon cases of *Shah Hussain vs the State*

*(PLD 1995 Karachi 209) and Khan Muhammad Mahar vs the State
(2003 SCMR 22)*

Learned A.P.G for the State has recorded no objection to release of the appellants on bail pending disposal of their appeal.

I have considered the above arguments and perused the record.

The aggregate sentence awarded to appellants is two years with Daman on each count and those have been ordered to run concurrently with benefit of section 382(b) Cr.P.C; hearing of appeal of the appellants obviously would take time; therefore, the operation of impugned judgment is suspended. Consequently, the appellants are ordered to be release on bail subject to their furnishing surety in sum of Rs. 30,000/-each and PR bond in the like amount to the satisfaction of Additional Registrar of this Court.

The listed application is disposed of accordingly.

JUDGE.

