

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Crl. Rev. Appln. No.S – 89 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of MA-8014 of 2020.

14.12.2020.

Mr. Shoukat Ali Kaka, Advocate for applicant.
Mr. Razia Ali Zaman, advocate for complainant.
Ms. Rameshan Oad, Assistant Prosecutor General Sindh.

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The facts in brief necessary for disposal of instant application is that the applicant on trial was found guilty for offence punishable u/s 489-F PPC and was convicted and sentenced to undergo Simple Imprisonment for two years with fine of Rs.10,000/-, in default thereof, to undergo Simple Imprisonment for one month more by learned Model Trial Magistrate Court-II/ Civil Judge and Judicial Magistrate-1, Hyderabad vide his judgment dated 13.10.2020. The appeal preferred by the applicant was dismissed by learned 8th Additional Sessions Judge, Hyderabad vide judgment dated 03.11.2020, it is impugned by the applicant before this Court by way of filing instant Revision Application and in the meanwhile the applicant has sought for suspension of the operation of impugned judgment and his release on bail by way of listed application.

It is contended by learned counsel for the applicant that the conviction and sentence awarded to the applicant is short one and hearing of his Revision Application is not possible in near future. By contending so, he sought for suspension of the operation of the

impugned judgment and release of the applicant 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 applicant on bail pending disposal of instant Revision Application. However, learned counsel for the complainant has objected to release of the applicant on bail by contending that the applicant has cheated the complainant by practicing fraud.

I have considered the above arguments and perused the record.

The conviction and sentence awarded to applicant is two years with fine; hearing of Revision Application of the applicant obviously would take time; therefore, the operation of impugned judgments of both Courts below is suspended. Consequently, the applicant is ordered to be release on bail subject to his furnishing surety in sum of Rs. 50,000/- and PR bond in the like amount to the satisfaction of Additional Registrar of this Court.

The listed application is disposed of accordingly.

JUDGE.