

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Crl. Appeal No.S-118 of 2020.

Date of hearing	Order with signature of Judge
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1. For hearing of M.A.No.9018/2020 (345(2) Cr.PC).
2. For hearing of M.A.No.9019/2020 (345(6) Cr.PC).

19.01.2021

Mr. Shahrukh Abbasi, Advocate for the appellant.
Mr. Muhammad Asif Arain, advocate for complainant.
Ms. Safa Hisbani, A.P.G for the State.

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The appellant is alleged to have fired and injured PW Ashad with intention to commit his murder, he was booked, challaned, tried, and for offence punishable u/s 324 PPC was convicted and sentenced to undergo Rigorous Imprisonment for seven years and to pay fine of Rs.50,000/- and in case of default whereof to undergo Simple Imprisonment for three months by learned 5th Additional Sessions Judge, Hyderabad vide his judgment dated 12th August, 2020, which has been 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 Abdul Ghaffar and injured/PW Ashad, whereby they have recorded no objections to acquittal of the appellant by way of compromise by stating therein that they have pardoned him in name of Almighty **Allah** without fear by waiving their right of Qisas and Diyat.

3. Report furnished by 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 u/s 345(6) Cr.P.C, 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 is disposed of together with the listed application[s].

J U D G E

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