

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT**  
**COURT, HYDERABAD.**  
Cr. Appeal No.S-144 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For hearing of main case.

20.12.2019.

Mr. Muhammad Sachal R. Awan, advocate for appellant

Ms. Rameshan Oad, A.P.G

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The appellant Zafar Ali by way of instant application (MA-5254/2019) has sought for suspension of the operation of judgment dated 18.05.2019 passed by learned Ist Additional Sessions Judge/ MCTC/ Badin to his extent, whereby he for offence punishable under Section 337-F(i) PPC and 337-F(vi) PPC for causing injuries to PWs Mst. Irum and Mst. Yasmeen has been convicted and sentence to undergo Rigorous Imprisonment for one and three years respectively with payment of Daman of Rs.30,000/- and Rs.100,000/- payable to each of the injured with Simple Imprisonment of three and six months respectively, with benefit of section 382-B Cr.P.C.

2. It is contended by the learned counsel for the appellant that the conviction and sentence awarded to the appellant Zafar Ali is short one, he for entire period of trial was on bail and hearing of his appeal is likely to take sometime. By contending so he sought for suspension of the operation of the impugned judgment only to his extent (Zafar Ali) with his release on bail pending disposal of his appeal.

3. Learned A.P.G for the State has recorded no objection to release of the appellant on bail.

4. I have considered the arguments and perused the record.

5. Obviously, the appellant Zafar Ali has been found to be guilty for offence punishable u/s 337-F(i)(vi) PPC; the conviction and sentence awarded

to him is short one and hearing of his appeal is likely to take time. Learned A.P.G for the State has also recorded no objection to his release on bail. In that situation it would be unjustified to keep the appellant Zafar Ali in custody pending disposal of his appeal.

6. In view of above, by relying upon case of *Abdul Hameed vs Muhammad Abdullah and others (1999 SCMR 2589)* the operation of impugned judgment only to the extent of appellant Zafar Ali is suspended. Consequently, the appellant Zafar Ali is ordered to be released on bail subject to his furnishing surety in the sum of Rs.50,000/= (Rupees fifty thousand) and PR bond in the like amount to the satisfaction of learned Additional Registrar of this Court.

7. The instant application is disposed of accordingly.

JUDGE

Ahmed/Pa

The appellants by way of application u/s 426 Cr.P.C (MA-5254/2019) have sought for suspension of the operation of judgment dated 18.05.2019 passed by learned Ist Additional Sessions Judge/MCTC/Badin to his extent, whereby for offence punishable under Section 337-F(i) PPC appellant .While, for offence punishable under Section 337-F(i) PPC appellant Zafar Ali has been convicted and sentence to undergo Rigorous Imprisonment for one year with Daman Rs.30,000/(thirty thousand), for causing injury to Mst. Irum d/o Mohammad Hashim Muradani