

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

& Crl. Jail Appeal No. 104 of 2019.

Date	Order with signature of Judge
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Crl. Appeal No. 646 of 2018

1. For hearing of main case.
2. For hearing of M.A. No. 10862 of 2019.

Crl. Jail Appeal No. 104 of 2019

1. For hearing of M.A. No. 1773 of 2019.
2. For hearing of main case.

02 April 2021.

Mr. Shabana Sadiq, advocate for appellant in Crl. Appeal No. 646 of 2018.

Mr. Talib Ali Memon, Addl. P.G. Sindh.

Admittedly appellants were arraigned in murder case while committing robbery, however, sentence of (10) ten years was awarded to them under Section 302 PPC, which is against the settled principles of law; trial court was required to justify if case was falling within section 302-C PPC, whereas, sentence is not reflecting that under what section instant case falls. In similar nature of case, this court has already passed structures against the same judge and this is the second occasion. However, impugned judgment is hereby set aside; case is remanded back to the trial court for rewriting of judgment after hearing the parties without being influenced by earlier judgment. Let copy of this order shall be sent to the Registrar of this Court as well as shall be conveyed to the learned Judge as an abundant caution.

J U D G E