

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Appeal No.S-11 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on MA-9957/2022
2. For orders on MA-9958/2022
3. For orders on office objections.
4. For orders on MA-591/2021
5. For hearing of main case.

03.11.2022.

Mr. Muhammad Younis, Advocate for respondent No.1 alongwith
respondent No.1.

Ms. Safa Hisbani, Assistant P.G.

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Appellants Gulab, Gul Sher and Rasool Bux are present in person on bail. Complainant Dr. Mehboob Ali is also present alongwith his Counsel. In earlier part of the day, the appellants as well complainant / respondent No.1 stated that the property in dispute has already been restored in favour of complainant Dr. Mehboob Ali; therefore, they did not intend to linger on the proceedings; hence, under the directions both the parties have filed listed applications alongwith respective affidavits and the contents of such affidavits are affirmed by the parties. The respondent / complainant namely Dr. Mehboob Ali has submitted that possession of disputed property has been restored to him and with core of his heart has forgiven the appellants / accused; therefore, has filed listed applications jointly and does not want to prosecute the appellants anymore. The appellants also submit that they will not take law in their hands and will maintain harmony, peace and tranquility in the area. Hence, they submit that by granting listed applications the appeal may be disposed of and they may be acquitted of the charges. Learned Assistant P.G present in Court waives notice of the listed applications and while placing her reliance upon the

case of AKHTER HUSSAIN v. STATION HOUSE OFFICER SACHAL KARAHI and 02 others reported in 2020 P.Cr.LJ Note 20, records her no objection.

In view of above, it is observed that compromise entered into between the parties appears to be genuine, lawful and without any pressure or coercion from any side and that complainant has voluntarily forgiven the appellants / accused. Therefore, keeping in view the cordial relations between the parties in future, the compromise application under Section 345(2) Cr.P.C is hereby granted and application under Section 346(6) Cr.P.C is accepted. Consequently, appellants are acquitted of the charges.

In view of above, instant Criminal Appeal No.S-11 of 2021 is disposed of accordingly.

JUDGE

Shahid