

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

Crl. Appeal No. 169 of 2023

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**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

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For hearing of MA No.3637/2023.

**19-04-2023**

Mr. Muhammad Ibrahim, Advocate for appellant.  
Mr. Muhammad Daud Narejo, Advocate for respondent.  
Mr. Talib Ali Memon, APG.

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**Omar Sial, J:** Abdul Rehman was convicted for having committed offences under section 161 P.P.C. and section 5(2) of the Prevention of Corruption Act, 1947 on 20.03.2023 by the learned Special Judge, Anti-Corruption (Provincial) Karachi. He was sentenced to a 2 year prison term as well as directed to pay a fine of Rs. 50,000 or stay in prison for a further period of one month.

2. Learned counsel has argued that a short sentence of 2 years has been awarded and thus he seeks a suspension of sentence and release of the appellant on bail pending hearing of this appeal. Suspending a sentence is not the preferred mode to follow and I have been reluctant to do so. The problem I however face is the immense backlog of appeals in the court. The paper book in this case is yet to be made and in all probability the appellant would have lived out his sentence before his appeal comes up to be heard. This would not be fair on him if he is successful in appeal. Similarly, if the appeal is heard, it will be to the detriment of all those litigants who are in jail and have filed their appeals way before the present appeal has been filed. This would not be fair to those many litigants.

3. In view of the above and most reluctantly, the sentence of the appellant is suspended and he is admitted to bail subject to his furnishing a solvent surety in the sum of Rs. 500,000 and a P.R. Bond in the like amount to the satisfaction of the learned trial court. As a further condition of bail, the appellant shall ensure his presence at every hearing in the case along

with his counsel. In the event the appellant or his counsel seek more than 3 adjournments in the case, this concession of bail shall stand recalled. The office shall ensure that each Bench seized of this appeal is made aware of the foregoing condition.

**JUDGE**