

## **IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**

Crl. Appeal No. S- **26** of 2021

- 1.For orders on MA 3913/2022
- 2.For orders on MA 3914/2022
- 3.For orders on MA 1012/2022
- 4.For hearing of MA 1013/2022
- 5.For orders on MA 1910/2022
- 6.For hearing of main case

Mr. Ghulam Shabeer Shar, Advocate for the appellant.  
Mr. Muhammad Ali Dayo, Advocate for complainant.  
Mr. Aftab Ahmed Shar, Additional P.G for the State.

Date of Hearing & Order: **23-10-2023**

### **ORDER**

Applicant/appellant has been convicted and sentenced to imprisonment for life in sessions case No.357 of 2018 arising out of Crime No.10 of 2018 registered at P.S, C-Section, Sukkur, under Sections 302, 311, 452, 337H(2), 148 & 149 PPC for allegedly committing murder of three persons along with co-accused/co-appellants on 26.02.2018. He has filed listed application for suspension of sentence on the ground of illness. On his application vide order dated 24.07.2023, a medical board was ordered to be constituted to ascertain the nature of disease of appellant Ameer Ali after examining him. In compliance, medical board consisting of seven professors/senior medical officers examined appellant Ameer Ali and has filed medical report dated 18.08.2023 opining that the applicant is an old age patient, symptomatic patient with heart disease and his stay in jail is detrimental to his life.

2. Citing the medical report, learned defence counsel has pleaded for suspension of his sentence and bail, which is opposed by learned counsel for the complainant and learned APG.

3. A perusal of medical report suggests that the applicant is an old patient of Ischemic Heart Disease and his stay in jail is detrimental to his life. However, it has not been mentioned that whether or not applicant's treatment inside the jail is possible and whether he has been given treatment inside the jail since the date of his arrest viz. 08.03.2021. Therefore, the Medical Superintendent, GMMMC, Hospital, Sukkur is directed to submit a report of the Board detailing as to whether the applicant is being provided treatment inside the jail since his arrest and whether treatment of applicant inside the jail is possible or not. This report shall be submitted in 15 days.

Adjourned to **13.11.2023.**

**JUDGE**

Ahmad