

IN THE HIGH COURT OF SINDH, AT KARACHI

Criminal Jail Appeal No. 343 of 2022

Criminal Jail Appeal No. 411 of 2022

Appellants: Ghulam Shabbir and Kashif through Jamil Ahmed Khoso, advocate

The State: Mr. Khadim Hussain Khuharo, Additional Prosecutor General for the State

Date of hearing: 21.08.2023

Date of judgment: 21.08.2023

J U D G M E N T

IRSHAD ALI SHAH, J- It is alleged that the appellants during course of robbery caused fire shot injuries to complainant Junaid Jabbar on his left foot fingers, for that they were booked and reported upon by police. On conclusion of trial, they were convicted u/s. 394 r/w section 34 PPC and sentenced to undergo rigorous imprisonment for 07 years and to pay fine of Rs.20,000/- each and in default whereof to undergo simple imprisonment for six months with benefit of Section 382(b) Cr.P.C by learned XIIth -Additional Sessions Judge Karachi East vide judgment dated 11.04.2022 which they have impugned before this Court by preferring two separate appeals from jail.

2. At the very outset, it is stated by learned counsel for the appellants that under instructions, he would not press the disposal of the instant Crl. Jail Appeals before this Court on merits, provided the sentence awarded to the appellants is reduced to minimum extent, which is not opposed by learned Addl. PG for the State.

3. Heard arguments and perused record.

4. The appellants are said to be sole bread earner of their respective families, by not pressing the disposal of their jail appeals on merits, they have shown remorse as such there is likelihood of reformation. By considering all these factors as mitigating circumstances, the sentence awarded to the appellants for the above offence is reduced to rigorous imprisonment for four years with fine of Rs.10,000/-each and in default whereof they would undergo simple imprisonment for one month with benefit of Section 382(b) Cr.P.C.

5. The instant Criminal Jail Appeals are disposed of subject to above modification.

JUDGE