

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT
HYDERABAD

Cr. Rev. Appln. No.S-214 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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| 1. For orders on MA-10460/2022. | |
| 2. For orders on MA-10461/2022. | |
| 3. For orders on MA-10461/2022. | |

18.11.2022

Mr. Hameedullah Dahri, Advocate for applicant.
Ms. Sana Memon, Assistant P.G.
Complainant is present in person.

ORDER

Through instant Criminal Revision Application, the applicant Muhammad Akhlaque son of Muhammad Luqman Khokhar has assailed the judgment dated 27.11.2021 passed by learned 1st Additional Sessions Judge, Tando Adam in Criminal Appeal No.08 of 2019, whereby learned Appellate Court has maintained the conviction and sentence of two years with fine of Rs.25,000/- recorded by learned Judicial Magistrate-II, Tando Adam (Trial Court) in Criminal Case No.48 of 2018 arising out of Crime No.40 of 2018 registered at P.S Tando Adam City under Section 489-F, 506/2, 34 PPC.

During pendency of instant criminal revision application, 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 Muhammad Arif has submitted that he with core of his heart has forgiven the applicant; therefore, has filed listed applications jointly and does not want to prosecute the appellant anymore. He next submits that the amount involved to some extent has been paid to him by applicant; therefore, he has no objection if listed applications are allowed and applicant is acquitted of the charge.

It appears that applicant as well complainant have jointly filed compromise applications stating therein that due to intervention of their *Nekmards* of the locality they have buried their differences and the complainant has forgiven the applicant in the name of Almighty Allah; therefore, he has no objection if the applicant may be acquitted of the charge

and he does not intend to linger on the proceedings. Hence, he submits that by granting listed applications instant revision application may be disposed of and applicant may be acquitted of the charge.

Learned Assistant P.G present in Court waives notice of the listed applications and 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 applicant/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 345(6) Cr.P.C is accepted. Consequently, conviction and sentence recorded by the Appellate Court vide impugned judgment dated 27.11.2021 are set aside and applicant Muhammad Akhlaque S/o Muhammad Luqman Khokhar is acquitted of the charge. He is present on bail; his bail bond stands cancelled and surety is hereby discharged.

In view of above, instant Criminal Revision Application No.S-214 of 2021 is disposed of accordingly.

JUDGE

Shahid