

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Jail Appeal. No. S – 12 of 2021

DATE

ORDER WITH SIGNATURE OF JUDGE

For hearing of main case

09.10.2023

Mr. Rukhsar Ahmed M. Junejo, Advocate for the Appellant
Mr. Shafi Muhammad Mahar, Deputy Prosecutor General for the
State

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ORDER

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MUHAMMAD IQBAL KALHORO, J.- Appellant was convicted and sentenced for life imprisonment for committing the offence under Section 302(b) PPC and to pay compensation of Rs.1,00,000/- to the legal heirs of deceased, namely, Muhammad Nawaz and Haji Ahmed Ali, whose murders he committed on 14.03.2010 at 0400 hours, vide Judgment dated 02.02.2021 emanating from FIR No.12/2010 of Police Station, Jaggan @ Hamayoun, District Shikarpur, passed by learned Additional Sessions Judge-V, Sukkur in Sessions Case No.421/2019 (*The State vs. Hashim*), against which appellant filed this jail appeal, which was admitted vide order dated 15.03.2021. However, during pendency of the appeal, it was reported that appellant had died, hence a report from the jail authorities was called.

2. The jail report dated 14.09.2023 has been received and Senior Superintendent / Officer Incharge Central Prison and Correctional Facility, Sukkur has revealed that the appellant was admitted in Ghulam Muhammad Mahar Medical College Hospital, Sukkur and died on 03.09.2023 at about 08:45 am, as he was suffering from Tuber closes (TB), after which necessary proceedings were also held by learned 2nd. Civil Judge and Judicial Magistrate, Rohri a copy of which he has submitted along with the report.

3. In view of above, both the learned counsel for the parties have conceded that this appeal would stand abated under Section 431 CrPC. Accordingly, this appeal on account of death of appellant, namely, Hashim S/o Sozal by caste Nariwal stands abated under Section 431 CrPC and is accordingly disposed of.

Judge

ARBROHI