

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

Cr. Appeal No.S-185 of 2020

Date of hearings: 12.09.2024
Date of decision: 12.09.2024
Appellant: Faisal
Through Mr. Lal Chand Maheshwari advocate.
The State: Through Ms. Sana Memon, A.P.G.

J U D G M E N T

ZULFIQAR ALI SANGI, J.- The appellant has impugned his conviction and sentence awarded to him vide judgment dated 17.11.2020 passed by learned Additional Sessions Judge-I Tando Muhammad Khan in Sessions Case No.283/2020, Crime No.277/2020, U/S 8 S.P.P.M.S.G.M Act 2019, PS Tando Muhammad Khan.

2. Learned counsel for the appellants after arguing the case has submitted that appellant is the first offenders and is the only bread earners for his family; that he would not press the appeal on merits if by taking a lenient view his sentence is reduced to the period already undergone by him.

3. Learned Assistant PG has recorded no objection to this proposal.

4. I have heard the parties and perused material available on record. I am of the view that the conviction of the appellant is based on cogent reasons. As per jail roll called from the Senior Superintendent /Officer Incharge Central Prison Correctional Facility Hyderabad appellant has served out sentence of 01 month and 04 days **in total he served sentence of 01 month and 04 days** which shows that the appellant has been sufficiently punished. The appellant is first offender. No past criminal history against him is placed on record before the trial Court nor this Court.

5. Consequently, the conviction is maintained, however, the sentences awarded to the appellant by the Trial Court is reduced to one which the appellant has already undergone including the fine. He is on bail, his bail bond is cancelled and surety discharged.

6. The appeal in hand is disposed of in the terms as stated above.

JUDGE

Ali Haider