

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

Criminal Revision Application No.S-10 of 2024

Applicant: Akbar Ali through Ms. Naheed Akhtar,
Advocate.

Respondent: The State through Ms. Rameshan
Oad, Assistant Prosecutor General
Sindh.

Date of hearing: 19.02.2024.

Date of Decision: 19.02.2024.

ORDER

AMJAD ALI SAHITO, J. Through this Criminal Revision Application, the applicant has challenged the judgment dated 11.01.2024, passed by learned Sessions Judge, Tando Allahyar in Criminal Appeal No.01 of 2024 whereby the appeal of the applicant was dismissed and maintained the judgment dated 18.12.2023 passed by the learned Judicial Magistrate-III/MTMC, Tando Allahyar in Criminal Case No.182 of 2023 whereby the applicant was convicted and sentenced to suffer R.I for one year and fine of Rs.10,000/-; in default whereof, to suffer one month more R.I.

2. At the very outset, learned counsel for applicant contends that though the applicant has been involved in the instant case falsely but since the applicant has remained behind the bars for sufficient time and still is being dragged since 2023, as such, he would not press the instant criminal revision application, if a lenient view is taken against the applicant by dismissing the instant criminal revision application and treating the sentence to one as already undergone.

3. On the other hand, learned Assistant Prosecutor General Sindh states that the applicant has remained behind the bars for sufficient period and learnt the lesson, therefore, she has no objection if a lenient view is taken against the applicant by

dismissing the instant criminal revision application and treating the sentence to one as already undergone.

4. It appears that applicant was convicted and sentenced to suffer R.I for one (01) year along with fine of Rs.10,000/-. Perusal of the jail roll received from the Senior Superintendent Central Prison Mirpurkhas reflects that the un-expired portion of the sentence awarded to the appellant is only 2 months and 28 days. It is noted that the applicant has remained in jail and learnt the lesson as he has undergone for sufficient period of the sentence. Consequently, while taking a leniency, instant Criminal Revision Application is **dismissed** but with modification that the sentence is reduced to one as already undergone by the applicant including fine amount. The applicant shall be released forthwith if not required in any other custody case.

5. Instant Criminal Revision Application is dismissed with above modification.

JUDGE

Hafiz Fahad