

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

CrI. Jail Appeal No. S-51 of 2016

(Wahid Bux @ Gaman & others vs. The State)

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

1. For hearing of MA No. 958/2021 (426 Cr.P.C)
2. For hearing of main case.

27-02-2024.

Mr. Alam Sher Bozdar advocate for the appellant.
Mr. Ubedullah Ghoto, advocate for the complainant.
Mr. Shafi Muhammad Mahar, Deputy Prosecutor General

The appellant Khalid was convicted and sentenced to various terms of imprisonment spreading over the life with benefit of section 382 (b) Cr.P.C by learned IVth Additional Sessions Judge, Mirpur Mathelo vide judgment 26-02-2016, which he has impugned before this Court by preferring the instant CrI. Jail Appeal and now by way of listed application has sought for his release on bail pending disposal of his appeal by suspending the operation of the sentence awarded to him.

It is contended by learned counsel for the appellant that in collusion of remission he has already undergone 20 years of the sentence and there is likelihood of early disposal of his appeal; therefore, he is entitled to be released on bail by suspending the operation of sentence awarded to him.

Learned DPG for the State and learned counsel for the complainant being available in Court after waiving the notice opposed to release of the appellant on bail by suspending the

operation of impugned sentence by contending that the disposal of his appeal would take no further time.

Heard arguments and perused the record.

Admittedly the appellant Khalid as per jail roll in-collusive of remission has already undergone 20 years of jail term and hearing of his appeal is likely to take more time because of heavy pendency; therefore while relying upon case of *Makhdoom Javed Hashmi Vs. The State (2007 SCMR 1844)* the operation of the sentence awarded to the appellant is suspended; consequently he is directed to be released on bail, subject to his furnishing surety in sum of **Rs.200,000/- (Two lac)** and PR bond in the like amount to the satisfaction of Additional Registrar of this Court.

Listed application is disposed of accordingly.

To be fixed after four weeks, for hearing of main appeal.

J U D G E