

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

CrI. Appeal No. S-154 of 2023

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA No. 7752/2023 (B/A)
2. For orders on MA No. 496/2024 (B/A)
3. For hearing of main case.

04.03.2024

Mr. Shamsuddin N Kobhar, Advocate for appellants
Mr. Shabbir Ali Bozdar, Advocate for complainant
Syed Sardar Ali Shah, Addl. P.G.

M.A No. 7752/2023 & 496/2024 Through the instant applications the learned counsel for appellants seeks suspension of sentences awarded to them by the Court of learned Additional Sessions Judge Daharki in Sessions case No. 259/2023 (Re-State vs. Daim Khan @ Daim and others) for the offence U/S 452, 324, 337-F(iii), 337-H(ii), 114, 148 r/w Section 149 PPC registered at PS Daherki, District Ghotki.

2. Learned counsel for the complainant submitted a statement which is taken on record wherein it is stated that since the parties have settled their dispute outside of the court on intervention of nekmards, therefore on the instruction from complainant party the learned counsel for the applicant accorded no objection if the instant applications are allowed and appellants be enlarged on bail.

3. The learned Additional P.G keeping in view such statement has also recorded his no objection for allowing of instant applications.

4. Heard learned counsel for the parties and have gone through the material available on record.

5. From the perusal of record it appears that the appellants have been awarded sentences for seven years and to pay fine of Rs. 20000/- (Twenty thousand) each and in case default thereof they shall suffer SI for three months more with benefit of Section 382-B Cr.P.C. the appeal has been admitted for regular hearing which take some time in its decision. On the other hand learned counsel for the complainant as well as learned Addl. P.G. have conceded for grant of bail on the grounds that parties have settled their dispute outside of the Court. Both the parties registered cases against each other and complainant party was also convicted by the trial Court for 07 years and now both the parties have settled their dispute and only some conditions are remain to be fulfilled by the parties. Both the parties filed statement of no objection into

the appeals. Accordingly, instant application is allowed, sentence awarded to the appellants is suspended till final disposal of appeal. The appellants Daim Khan @ Daim son of Jewan Khan @ Jewan, Khalid Ahmed @ Khalid son of Qaimuddin, Javeed Ali @ Javeed son of Daim Khan @ Daim and Mehtab Ali @ Mehtab son of Daim Khan @ Daim all by caste Kobhar, are ordered to be released on bail subject to their furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty thousand) each and P.R bond in the like amount to the satisfaction of Additional Registrar of this Court.

6. Since the main appeal has already been admitted on its regular hearing, therefore same adjourned to: 26.03.2024.

J U D G E