

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Acquittal Appeal No.S-96 of 2022
(Bux Ali Bhutto Vs. Mehmood Ahmed & others)

| DATE OF HEARING | ORDER WITH SIGNATURE OF JUDGE |
|-----------------|-------------------------------|
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1. For Orders on MA No. 1623/2024 (U/ A).
2. For Orders on MA No. 1624/2024 (Ex./ A).
3. For Orders on MA No. 1025/2024 (Restoration).
4. For Orders on MA No. 1626/2024 (Condonation)

08-04-2024.

Mr. Muhammad Qayyum Arain, advocate for the appellant.

1. Granted.
2. Granted subject to all just legal exceptions.
3. By way of listed application u/s 561-A Cr.P.C which is filed on 02-04-2024, the appellant has sought for restoration of the instant Crl. Acquittal Appeal, which was dismissed by this Court for non-prosecution on 20-02-2024. The reason advance by the appellant for restoration of instant Crl. Acquittal Appeal are that on the date of hearing, he was not feeling well and the counsel who was requested by his counsel to hold the brief could not reach the call. No proof is brought on record which may suggest that the appellant on the date when the instant Crl. Acquittal Appeal was called for hearing was not feeling well. No affidavit is filed by a counsel who actually was requested by learned counsel for the appellant to hold his brief before this Court on the date of when instant Crl. Acquittal Appeal was to be called for its hearing, which may suggest that he could not reach the call. No cogent reason is advanced by the appellant which could justify this Court to restore the instant Crl. Acquittal Appeal; consequently, the listed application is dismissed together with listed application, which even otherwise is filed after 30 days and is hit by laches.

J U D G E

