

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Criminal Appeal No. S-23 of 2024
(Raheem Bux @ Shedo vs. The State)

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of MA No. 1389/2024 (426 Cr.P.C)
2. For hearing of main case.

09-04-2024.

Mr. Rukhsar Ahmed Junejo, advocate for the appellant.
Mr. Muhammad Ali Napar, advocate for the complainant.
Syed Sardar Ali Shah Rizvi, Additional PG for the State.

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It is contended by learned counsel for the appellant that aggregate sentence awarded to the appellant was **six years**; in collusive of remission he has already undergone three years and five months of the sentence and hearing of his appeal is likely to take time on account of heavy pendency; therefore, he is entitled to be released on bail by suspending the operation of impugned sentence, which is not opposed by learned Additional P.G for the State, however learned counsel for the complainant has opposed to release of the applicant by suspending the impugned sentence by contending that hearing of appeal of the appellant would take no time and a revision application for enhancement of the sentence is also pending adjudication before this Court.

Heard arguments and perused the record.

Mere pendency of revision application is not enough to deny the concession of bail to the applicant by suspending the operation of impugned sentence, particularly when he has already undergone more than half of the sentence awarded to him; therefore, while relying upon the 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.50,000/- (Rupees Fifty thousand)** and PR bond in the like amount to the satisfaction of Additional Registrar of this Court.

Instant listed application is disposed of accordingly.

Adjourned to be fixed four weeks' for hearing of main appeal/revision application.

JUDGE

Nasim/P.A