

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl. Appeal No. S – 45 of 2023

Date of hearing	Order with signature of Judge
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Hearing of case

1. For orders on office objection at flag 'A'
2. For hearing of main case

07.11.2024

Mr. Muhammad Zubair Malik, Advocate for the Appellants
Mr. Abdul Qadir Shaikh, Advocate for the Complainant
Mr. Gulzar Ahmed Malano, Assistant PG for the State

ORDER

Zulfiqar Ali Sangi, J;- Through instant Criminal Appeal, the appellants have challenged the judgment dated 26.04.2023 whereby the trial Court has convicted and sentenced them to suffer R.I for one year and to pay fine of Rs.50,000/- each and in case of default in payment of fine, they shall further undergo simple imprisonment for one month more. It was further directed by the trial Court that the behavior of the accused during their period of trial that accused Sohail-ur-Rehman being Advocate by profession and appellant Fasih-ur-Rehman is the sole bread earner of his family, therefore rather sending them to jail, their custody was given to the Probation Officer as per rules of Pakistan Probation Ordinance, 1960 and they were directed to remain on bail.

Today, learned Counsel for the appellants submits that since the period for which the appellants were handed over to the Probation Officer has been expired, therefore, they do not want to press the instant Appeal on merits and withdraw the same; however, requested that the fine amount imposed upon them by way of impugned judgment may be reduced from Rs.50000/- (Fifty thousand) each to Rs.3000/- (Three thousand) each. The proposal of reducing the fine amount has not been opposed by the Counsel for the complainant as well as learned Assistant PG for the State.

Since the appellants have not contested the appeal on merits and withdraw the same as they have served out the period of sentence awarded to them by the trial Court, therefore, the same is dismissed as not pressed. However, the fine of Rs.50000/- (Fifty thousand) each imposed upon them by the trial Court is reduced to Rs.3000/- (Three thousand) each to be deposited within 20 days.

The appeal stands disposed of in the above terms.

Judge

ARBROHI