

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr. Appeal No.S-137 of 2024

DATE

ORDER WITH SIGNATURE OF JUDGE

For hearing of main case.

20.01.2025.

Syed Tarique Ahmed Shah advocate for appellants.
Ms. Rameshan Oad, A.P.G.
Mr. Yaseen Laghari advocate for the complainant.
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AMJAD ALI SAHITO, J:- Per learned counsel for appellants since, the possession of the subject property is handed over to the LRs of Mst. Sakina, as such, the compliance report is also filed by the SHO PS A-Section Tando Allahyar. He further submits that appellants have given undertaking that in future they will not occupy the said property and also will not cause any kind of harassment to the legal heirs of deceased Mst. Sakina nor dispossess them from the said property. Counsel for complainant confirms the contention raised by the learned counsel for appellants and submits that since it is cognizable offence and he has no objection for it, the impugned judgment is set-aside and appellants may be acquitted from the charge. Learned A.P.G for the State recorded her no objection and submits that the settlement has been held between the parties.

2. In view of above terms and by consent of the parties, the conviction and sentences so awarded by the learned trial Court vide judgment dated 26.10.2024 is hereby set-aside. However, the appellants/accused are directed not to cause harassment or take any illegal action against the legal heirs of the deceased Mst. Sakina in order to dispossess them forcibly from the said property. In case in future if the appellants dispossess the legal heirs of deceased Mst. Sakina they are at liberty to file application in this appeal for legal action against them in accordance with law. The appellants are present on bail, their bail bonds stand cancelled and surety discharged. Since, the compliance has been made, therefore, show-cause notice issued to SHO concerned on the last date of hearing i.e. 19.12.2024 is hereby vacated.

JUDGE