

ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA
Criminal Appeal No.D- 80 of 2001

DATE	ORDER WITH SIGNATURE OF JUDGE <u>For Hearing of M.A NO. 6275/2001</u>
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21.01.2015

Mr. Munawar Ali Bhuatti, advocate for legal heirs/applicants.
Mr. Khadim Hussain Khooharo, D.P.G.

This is an application under Section 561-A, Cr.P.C moved on behalf of legal heirs of deceased Ali Asghar for return of the amount deposited for the minor legal heirs of the deceased. Record reflects that during pendency of the appeal an application under Section 345(2), Cr.P.C for compounding the offence was moved. It was disposed of vide order dated 02.10.2003, relevant portion is reproduced as under:-

“3.The appellants have filed application under section 345(6), Cr.P.C for acceptance of compromise with the heirs of the deceased, as the parties have patched up their differences, therefore, this application has been made for acceptance of this compromise arrived at between the parties. Pursuant to the direction of this Court, the accused has deposited the share of the minors in Court and report has been submitted by the Asstt: Accountant of this Court showing that maximum profit bearing scheme in which the amount could be deposited is Special Saving Certificate Scheme. Let the amount of Rs.153,000/- being share of the minors be transferred from the National Bank of Pakistan, Main Branch, Larkana and be invested in Special Saving Certificate Scheme, as direct balance amount of Rs.317/- be paid to Mst. Arbab Khatoon widow of the deceased and mother of the minors, to be spent on such minors.

Since the amount has been paid and the interest of the minors has been protected and rest of the heirs have forgiven their respective shares in the name of God Almighty. The compromise is accordingly accepted in the view of the foregoing reasons. The appellants stand acquitted, they may be released forthwith, if not required in any other case.”

Special Saving Certificates of Rs.1,53,000/- share of the minors has been deposited in the National Saving Centre-I, Bank Square Larkana in the Special Saving Certificate Scheme. Report of the Accountant has been placed on record



which reflects that appellants deposited total amount of Rs.153,317/- for the minors which has been invested in the profitable scheme.

Learned counsel appearing on behalf of minors submits that all the minors namely Muhammad Khan, Ahmed Khan, Jam Khan, Mehran Khan and Mst. Soomal alias Babli have attained the age of majority and he has filed National Identity Cards and affixed photograph of Mst.Soomal alias Babli.

Mr. Khadim Hussain Khooharo, learned D.P.G recorded no objection for return of the aforesaid amount to the Legal Heirs of deceased Ali Asghar.

Since the amount of Rs.153,000/- has already been ordered to be given to the minors of the deceased and now they are major, photo copies of their NICs and photograph have been placed on record, therefore, instant application is allowed. Additional Registrar of this Court is directed to disburse the amount along with profit to the Legal Heirs of deceased Ali Asghar in terms of the order dated 02.10.2003 after proper verification as per rules.

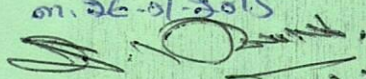
Application M.A No.6275/2004 stands disposed of accordingly.



Judge



Judge

Above order complied
on 26-01-2015

Accountant 26-01-15