

**ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.**

Cr.Jail.Appeal.No.D- 34 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE
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07.04.2017.

Syed Meeral Shah, D.P.G. for the State alongwith ASI Hazoor Bux PS
Tando Muhammad Khan.

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Appellant Aijaz Ali was tried by learned Sessions Judge / Special Court (CNS) Tando Muhammad Khan in Special Case No.16/2013 for offence u/s 9(b) of C.N.S. Act, 1997. By judgment dated 29th December 2014, accused Aijaz Ali was found guilty and convicted u/s 9(b) CNS Act, 1997 and sentenced to suffer one year and six months RI and to pay the fine of Rs.11,000/- In case of default in payment of fine the accused was ordered to suffer SI for six months more. The benefit of Section 382-B Cr.P.C. was extended to the accused. Thereafter, instant appeal is filed.

The jail roll dated 03.04.2017 is received from the Superintendent Central Prison, Hyderabad, which reflects that the convict has already been released from the prison on 02.01.2016 on completion of his term / sentence. Thereafter, notice was issued to the appellant for his appearance to contest the appeal, if so desires. Today, ASI Tando Muhammad Khan is present and states that he has served the notice upon appellant but he is called absent which reflects that the appellant is not interested to contest this appeal. Since the appellant has already undergone the sentence and has been released from the prison on 20.01.2016, on expiry of sentence. Therefore, with the assistance of learned D.P.G, we have perused the prosecution evidence brought on record against the appellant. It appears from the evidence that 500 grams of charas was recovered from the accused's possession and report of

chemical examiner was positive. Trial Court has appreciated the evidence according to principle of law and delivered the judgment dated 29th December 2014 which requires no interference hence the appeal is dismissed. Since the appellant has already been released on expiry of his sentence, no further orders are required to be passed.

Disposed of.

JUDGE

JUDGE

Tufail