

## IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl. Revision Application No.S- 43 of 2024

### Hearing of case

- 1.For hearing of MA 3258/24
- 2.For hearing of main case.

Mr. Rukhsar Ahmed Junejo, Advocate for the Appellant.  
Syed Sardar Ali Shah, Additional P.G for the State.

Date of hearing: 27.02.2025  
Date of Decision: 27.02.2025

## J U D G M E N T

RIAZAT ALI SAHAR J.,- Through this Criminal Revision Application, the applicant has challenged the judgment dated 16.05.2024, passed by learned Additional Sessions Judge-II, Mirpur Mathelo in Criminal Appeal No.15 of 2023, whereby the appeal of the applicant was dismissed and maintained the judgment dated 16.11.2023 passed by the learned Judicial Magistrate-II, Mirpur Mathelo in Criminal Case No.169 of 2023, whereby the applicant was convicted and sentenced to suffer R.I for three years and fine of Rs.25,000/-; in default whereof, to suffer S.I for three months, with benefit of section 382-B CrPC, duly extended to the appellant

2. At the very outset, learned counsel for applicant contends that though the applicant has been involved in the instant case falsely but since the applicant has remained behind the bars for sufficient time and still is being dragged since 16.11.2023, as such, he would not press the instant criminal revision application, if a lenient view is taken against the applicant by dismissing the instant criminal revision application and treating the sentence to one as already undergone.

3. On the other hand, learned Additional Prosecutor General Sindh states that the applicant has remained behind the bars for sufficient period

and learnt the lesson, therefore, he has no objection if a lenient view is taken against the applicant by dis

missing the instant criminal revision application and treating the sentence to one as already undergone.

4. It appears that applicant was convicted and sentenced to suffer R.I for three years along with fine of Rs.25,000/-. Perusal of the jail roll dated 24.01.2025 received from the jail authorities reflects that appellant has completed entire sentence including the term of sentence in lieu of fine amount; however, he is not being released by the jail authorities as his sentence in another crime has been started from 17.09.2024. It is noted that the applicant has remained in jail and learnt the lesson as he has completed the entire period of the sentence. Consequently, while taking a leniency, instant Criminal Revision Application is **dismissed**. At this juncture, it has been pointed out by learned counsel for applicant that jail authorities are not releasing the applicant as he has also been convicted and sentenced in another **crime No.173 of 2023 of P.S, Mirpur Mathelo vide judgment dated 16.09.2024**. He, therefore, requests that the sentences of the applicant in both the above crimes may be ordered to **run concurrently**, to which learned APG has recorded no objection. **Order accordingly**. The applicant shall be released forthwith if not required in any other custody case.

5. Instant Criminal Revision Application is dismissed accordingly.

J U D G E

Ahmad