

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT HYDERABAD

Criminal Acquittal Appeal No.S-99 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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For order on MA No.2205/2020.
For order on office objection.
For order on MA No.2206/2020.
For hearing of main case.

05-12-2022

Mr. Abdul Hafeez Khoso advocate for appellant.

MUHAMMAD IQBAL KALHORO, J: - This acquittal appeal has been filed against impugned judgment dated 11.02.2020 in New Criminal Case No.357 of 2017 Old Criminal Case No.286 of 2019 arising out of crime No.314/2017 registered at PS A-Section, under section 489-F, 506/2, 420, 34 PPC rendered by Civil Judge & Judicial Magistrate-III, Nawabshah whereby respondents were acquitted of the charge.

2. I have heard learned counsel for the appellant and perused the material available on record. In this case there appears dispute of complainant with respondents Bilal and Dilshad Ahmed on purchase of grocery articles; however, when he came in witness box neither he succeeded to adduce strong evidence to strengthen his claim to show that the respondents have dishonestly issued cheques, cheated or intimated extending murderous threats to him, as such, the complainant could not stand the ground and has contradicted on various aspects of the case, as noted in the impugned judgment. His witnesses have also not justified themselves in their evidence. More so, after acquittal double presumption of innocence runs in favour of accused which can only be discharged on the basis of strong circumstances in evidence which in this case are lacking. No case is made for indulgence and consequently, instant criminal acquittal appeal is **dismissed** along with listed application.

JUDGE