

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
 Cr. Appeal No.89 of 2022

Date	Order with signature of the Judge
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1. For orders on office objections
2. For hearing of case.
3. For hearing of MA 10784/2023.
4. For hearing of MA 10785/2024.

**13.12.2024**

Mr. Ajab Khan Khattak, Advocate for appellant.  
 Ms. Rakhshanda Waheed, advocate for complainant.  
 Ms. Rubina Qadir, DPG.

**ORDER**

**MUHAMMAD IQBAL KALHORO J:** Appellant Murad was tried by learned III-Additional Sessions Judge, Karachi south for offence u/s 320, 427 PPC in Crime No.406/2018 of P.S. Saddar Karachi and was convicted and sentenced vide impugned judgment dated 24.01.2022 to pay Diyat amount and R.I. for three years and u/s 427 PPC to suffer R.I. for one year. Both sentences were ordered to run concurrently with benefit of section 382-B Cr.P.C.

2. During pendency of appeal, parties entered into compromise and filed listed applications u/s 345(2) and 345(6) Cr.P.C, which were sent to the trial court for inquiry and report within two months.

3. The trial court after holding inquiry has submitted report dated 05.12.2024 showing legal heirs of deceased i.e. Rubina Bano (wife), Aqsa Zubair (daughter, Muniza (daughter) and Muhammad Daniyal Shakeel (son). The trial court also confirmed that all the legal heirs are major and have compounded the offence on their own.

4. Learned Deputy Prosecutor General and counsel for complainant after going through the record and reports of the trial court have extended no objection to compromise arrived at between the parties.

5. I have considered submissions of the parties and perused material available on record. The appellant was convicted to pay Diyat and to go through R.I. for three years u/s 320 and 427 PPC, which are compoundable. The compromise applications are supported by the affidavits of legal heirs of deceased. The enquiry report submitted by the trial court has confirmed the legal heirs mentioned in the compromise applications. The trial court ascertained the

legal heirs of deceased after making publication in daily Express 07.12.2023 and calling relevant reports including report of NADRA, who appeared in the course of enquiry and affirmed compromise with the appellant. In this court also the legal heirs of the deceased appeared and gave favourable statements in respect of compromise and acquittal of the appellant. I, therefore, see no impediment legal or otherwise to accord permission to the parties to compound the offence. Accordingly, applications are allowed and the parties are allowed to compound the offence. Resultantly, appellant is acquitted u/s 345(6) Cr.P.C. He is absent today and his mother has sought condonation of his absence for today on the ground that he is unwell. His absence is condoned.

The Cr. Appeal stands disposed of in the above terms.

**JUDGE**

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