

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
MIRPURKHAS**

Criminal Appeal No.S-134 of 2024

Appellant: Mir Muhammad S/o Muhammad Umer,
Through Mr. Muhammad Sachal Awan, Advocate.

Respondent: The State.
Through Mr. Ghulam Abbas Dalwani, D.P.G.

Date of Hearing: 17.09.2025.

Date of Order: 17.09.2025.

ORDER

Amjad Ali Sahito, J: Through this Criminal Appeal, the appellant has challenged the judgment dated 08.03.2023 passed by the learned Additional Sessions Judge-I, Tharparkar at Mithi in Sessions Case No.90/2022 "*Re: The State Vs. Mir Muhammad*", arising out of Crime No.23/2022 for offence under sections 377 and 511 P.P.C of PS Kaloi whereby the appellant was convicted and sentenced to suffer R.I for 02 years with fine of Rs.2,50,000/- with benefit of section 382-B Cr.P.C, awarded by the learned trial court.

2. The learned counsel after arguing at some length; prayed that he would not like to argue on merits but would be satisfied if the sentence given to the appellant was reduced to the time he had already remained in prison.

3. On the other hand, learned Deputy Prosecutor General Sindh concedes that the appellant has remained behind the bars for sufficient period and learnt the lesson, therefore, he has no objection if a lenient view is taken against them by dismissing the instant appeal and treating the sentence to one as already undergone.

4. I have heard the learned counsel for the appellant, learned D.P.G for the State and have gone through the record.

5. It appears that this criminal appeal was presented on 15.03.2023 and is still pending before this court. The appellant has remained in jail and learnt the lesson as he has undergone for his sentence and is being dragged since 2022 in the instant crime. Further learned counsel for the appellant submits that he is not pressing the appeal on merits but would be satisfied if the sentence awarded to the appellant may be reduced to one he had already undergone. Such proposal is not opposed by the learned Deputy P.G Sindh. Consequently, while taking a lenient view, the instant criminal appeal is **dismissed** but with modification that the sentence is reduced to one as already undergone including fine. The appellant is present on bail, his bail bond stands cancelled and surety discharged. Office is directed to return the surety papers after proper verification and identification.

JUDGE

Faisal