

ORDER SHEET  
IN THE HIGH COURT OF SINDH, AT KARACHI.

Cr. Appeal No. 657 of 2024

Date	Order with signature of hon'ble Judge.
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1. For hearing of case.
2. For hearing of M.A No.8929/2025

**23.09.2025**

Mr. Hussain Bux Baloch, advocate for the appellants a/w appellant Ahtisham on bail.

Mr. Mohammad Noonari, D.P.G.

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On the last date of hearing it was observed that complainant is avoid to appear in the case. Today also he is called absent.

On the other hand, learned counsel for the appellants, after arguing the matter at some length, submits that he would not press the instant appeal on merits provided the conviction and sentence awarded to the appellants by learned trial Court under impugned judgment is reduced to the period of sentence he has already undergone.

Learned D.P.G has extended no objection.

Perusal of record reflects that appellants have been convicted and sentenced by trial Court to suffer R.I for five years and Pay fine of Rs.20,000/- and in case of default in payment thereof to suffer S.I for one month more. The benefit of Section 382 (b) Cr.P.C is also extended to the appellants.

Perusal of Jail Roll of the appellants received to this Court through letter dated 10.5.2025 of Senior Superintendent, Central Prison & Correctional Facility Karachi, it reflects that out of sentence awarded to the appellants by learned trial Court under impugned judgment, they has served out sentence including remission for 03 years, 03 months and 07 days and the unexpired portion of sentence is only 01 year, one 9 months and 23 days. Appellants are said to be sole bread winner of their family and they are youngmen. They have already served out major portion of the sentence awarded to them and a chance may be given to the Appellants to improve themselves as a law abiding citizen..

In view of above, instant appeal is dismissed; however, with modification of the conviction and sentence already awarded to the appellants by learned trial Court under impugned judgment dated 28.8.2025 is modified to the extent of period of sentence, they have already undergone. Accordingly, Appellant No.2 shall be released forthwith if not required in any other custody case while Appellant No.1 Ahtisham is present in Court on bail. His bail bond stands cancelled and surety is discharged.

**JUDGE**

Shabir/P.S

