

ORDER SHEET  
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA  
Criminal Jail Appeal No. S- 110 of 2011

/20

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

- 1.For orders on M.A NO. 1019/2013 (561-A)
- 2.For orders on M.A No. 2373/2014 (426 CrPC)
- 3.For Hearing of M.A No.1344/2017 (345 (5)Cr.PC)
- 4.For Hearing of M.A No.1345/2017 (345 (6)Cr.PC)
- 5.For Hearing of M.A No.1346 /2017 (345 (4) Cr.PC)
- 6.For Hearing of case

08.01.2018

Mr. Asif Ali Abdul RazakSoomro, Advocate for the Appellants.  
Miss Rubina Dhamrah, ADPP.

-----

## ORDER


**ADNAN-UL-KARIM MEMON, J.** Present Appeal is filed against the judgment dated 08.09.2011 passed by learned 1st Additional Sessions Judge, Jacobabad in Sessions Case No.210/2008 Re: State Vs. Khadim Hussain & others, arising out of crime No.27/2006 of Police Station Thul for offence under Section 302, 148 and 149PPC whereby Appellants are convicted for life with fine of Rs.200, 000/- and in default thereof to undergo further R.I for six months and for offence under section 148 and 149 PPC to undergo R.I for one year and fine of Rs. 3000/-each and in default to suffer R.I for one month more. Besides, fine of Rs.200000/- to be paid to legal heirs of deceased as compensation under section 544-A Cr.P. C. with benefit of section 382-B Cr.P. C. Both the sentences were ordered to run concurrently.

During pendency of this Appeal, the Appellants filed Application under Section 345 (5) Cr.P. C.(M.A No.1344/2017), Application under Section 345 (6) Cr.P.C.(M.A No. 1345/2017) and Application under Section 345 (4) Cr.P.C. (M.A No. 1346/2017) for compounding of offence and appointment of guardian ad-litem for minor legal heirs of deceased. The said Applications were



In view of above facts, circumstances and legal position of the case, judicial propriety demands that compromise may be accepted. Accordingly, permission is granted and compromise application is accepted subject to deposit of Diyat amount of minors by the Appellants. As per report of learned trial court, the said share of each minor has already been deposited with the learned trial court, which is directed to be paid to him/her when they attain the age of majority as per law. In view of the foregoing, the Appellants are directed to be released forthwith in Crime No.27/2006 of Police Station Thul, if they are not required in any other case.

The instant appeal along with listed applications is disposed of in the above terms.

  
Judge

Abid H. Qazi/\*\*