

ORDER SHEET  
**IN THE HIGH COURT OF SINDH,**  
CIRCUIT COURT, HYDERABAD.

Criminal Jail Appeal No.D- 35 of 2025  
[Confirmation case No.7/2025]

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**DATE            ORDER WITH SIGNATURE OF JUDGE**

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06.05.2026.

Mr. Mir Muhammad Nohri, Advocate for appellant.  
Ms. Rameshan Oad, A.P.G for State.  
Complainant Muhammad Saffar along with legal heirs namely Daud Khan,  
Rafia Bibi, Nisa Bibi and Noreen Bibi are present in person.

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The appellant was nominated in F.I.R No.49 of 2022 registered under Section 302 PPC, at Police Station Hussainabad, Hyderabad. The F.I.R. was registered against him for murder of his wife Mst. Qaima Khatoon. The learned 1<sup>st</sup> Additional Sessions Judge/MCTC-I, Hyderabad on 14.05.2025 convicted the appellant Ali Murad for an offence under Section 302(b) PPC to death by way of Ta'zir and he shall be hanged by neck till his death. The appellant-father was also directed to pay compensation in the sum of Rs.500,000/- to the legal heirs of deceased (his wife) i.e. his children as provided under Section 544-A Cr.P.C. In default to further undergo SI for 06 months. The appellant Ali Murad has impugned the judgment of learned trial Court through this appeal.

During pendency of the appeal the complainant as well as legal heirs of deceased, namely Daud Khan (his son 21 years old) and others who are minors have allegedly compromised with the appellant-father and also waived their right to Diyat as well as any kind of compensation from the accused. However, the said legal heirs remain minors, namely, Safia Bibi (17 years old), Maqsood Khan (13 years old), Rafia (11 years old), Noreen (6 years old), and Nisa (4 years old)-all under age of majority and lack capacity.

Be that as it may, this Court on 10.09.2025 sent the documents of the compromise to the learned trial Court to ascertain the genuineness of the compromise. The learned trial Court vide its report dated 19.01.2026 has confirmed that the statement of the legal heirs have been recorded before the trial Court and after due inquiry it appears that both the parties have voluntarily entered into the

compromise waiving all rights to any compensation/diyat except that the following legal heirs of the deceased mother, Mst. Qaima Khatoon are minors:

S#	NAME OF LEGAL HEIRS	RELATIONSHIP WITH DECEASED	AGE
01	Safia Bibi	Daughter	54 Years
02	Maqsood	Son	13 Years
03	Rafia	Daughter	11 Years
04	Noreen	Daughter	06 Years
05	Nisa	Daughter	04 Years

Before proceeding further, Accountant of this Court is directed to prepare schedule/share of the legal heirs of the deceased according to Shariah and furnish such report before the next hearing date. The presence of the legal heirs is waived until the next hearing date. They need not to be in attendance until further orders.

Relist on **20.05.2026 at 12:00 p.m.**

JUDGE

JUDGE

Tufail