

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS

Criminal Revision Application No.S-99 of 2024

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

09.10.2026

Mr. Hameedullah Dahri, advocate for the applicant a/w applicant (on bail).

Mr. Qaim Ali Rahoo, advocate holding brief on behalf of Mr. Haji Khan Hingorjo, advocate for the complainant.

Complainant is present in person.

Mr. Ghulam Abbas Dalwani, D.P.G.

=

RIAZAT ALI SAHAR, J:-

The applicant is present on bail.

The instant matter pertains to section 489-F PPC wherein the applicant/convict has been sentenced and convicted by the learned trial Court/Civil Judge & Judicial Magistrate Khipro, vide judgment dated 17.04.2021 on the ground of plead guilty. Subsequently, he filed appeal before the appellate Court/Additional Sessions Judge, Khipro and same was dismissed vide judgment dated 25.05.2021.

Learned Deputy Prosecutor General has pointed out that the process of plead guilty has not been conducted in accordance with Law and same is defective as per section 243 Cr.P.C and is violation of Judgment passed in case of Ghulam Mustafa v. The State reported in 2004 MLD 1468.

The complainant and the applicant appeared and pointed out that they are agreed to file their compromise application under section 345(2) & (6) Cr.P.C as the alleged offence is compoundable and seek remand of the case.

In view of above proposal the judgment dated 17.04.2021 passed by the trial Court and the Judgment dated 25.05.2021 passed by the appellate Court are hereby set aside and the case is remanded back to the learned trial Court. The applicant has granted bail by this Court vide order dated 12.07.2021 and he shall remained on bail and shall not be arrested for the period of seven days till filing of pre-arrest bail application before learned Sessions Judge, Sanghar or compromise application before the learned trial Court.

Let copy of this order be communicated to the learned trial Court.

JUDGE

Adnan Ashraf Nizamani