

# **IN THE SUPREME COURT OF PAKISTAN**

(Appellate Jurisdiction)

**Present:**

Mr. Justice Sardar Tariq Masood  
Mr. Justice Mazhar Alam Khan Miankhel

**Crl.P.L.A.No.759/2024 and Crl.M.A.No.1143/2024 in**  
**Crl.P.L.A.No.759/2024**

***Abdul Sattar Khan***

*...Petitioner(s)*

## **VERSUS**

***The State thr. A.G KPK and others***

*...Respondent(s)*

For the Petitioner(s) : Shahid Qayum Khattak, ASC

For the Complainant : In-person

For the State : Mr. Altaf Khan, Addl. Advocate General, KPK

Date of Hearing : 25.04.2025

## **ORDER**

The petitioner, namely, Abdul Sattar Khan was tried in case FIR No. 381 dated 05.06.2020 registered at Police Station Karak, District Karak under Sections 324 and 34 PPC (Section 337-D and 337-F(iii) PPC were added later on). After a regular trial, he was convicted as under:

- i. Under Section 324 PPC to simple imprisonment for ten years with fine of Rs. 50,000/- or to under go three months S.I. in default of its payment.
- ii. Under section 337-D PPC to simple imprisonment for three months as Ta'zir. The convict shall also pay 1/3rd of Diyat to the victim in lump sum. In case of failure, he may be kept in jail and dealt with in the same manner as if sentenced to simple imprisonment until payment of Diyat as provided in section 337-X(2) PPC.
- iii. Under section 337-F(iii) PPC to undergo simple imprisonment for two years as Ta'zir. The convict shall also pay Rs.40,000/- as Daman to the victim in lump sum. In case of failure, he may be kept in jail and dealt with in the same manner as if sentenced to simple imprisonment until payment of Daman as provided in section 337-Y(2) PPC.
- iv. Under section 337-F(i) PPC to undergo simple imprisonment for six months as Ta'zir. The convict shall also pay Rs.30,000/- of Daman to the victim in lump sum. In case of failure, he may be kept in jail

and dealt with in the same manner as if sentenced to simple imprisonment until payment of Daman as provided in section 337-Y(2) PPC.

All the sentences were ordered to run concurrently. The benefit under Section 382-B Cr.P.C. was extended to the convict.

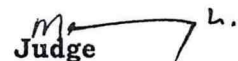
The appeal filed by him was partly allowed by the High Court and his sentence was reduced from 10 years to five years under Section 324 PPC and rest of convictions and sentences were maintained by the High Court vide impugned judgment dated 04.06.2024; hence, instant petition for leave to appeal filed by the petitioner.

2. Learned counsel for the petitioner contends that the petitioner was convicted under Section 324 PPC but he was also sentenced for the hurt under Section 337-D and 337-F(iii) PPC; that no doctor came forward to declare that the said injury on the person of Noor Khan (the complainant) was falling under *Jaifa*; hence, conviction of the said Sections is not maintainable. Further contends that the result of the injuries has not been declared by the doctor.

3. Notice to the State and the complainant. Learned Addl. A.G., and the complainant, both present in Court, waive the notice. However, the complainant seeks an adjournment in order to produce his learned counsel on the next date of hearing.



Judge



Judge