

**THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Bench:**

Mr. Justice Athar Minallah  
Mr. Justice Irfan Saadat Khan  
Mr. Justice Malik Shahzad Ahmad Khan

**Jail Petition No.463 of 2022**

(Against judgment dated 18.01.2022  
of the Peshawar High Court,  
Peshawar, passed in CrI.A.599-  
P/2021, CrI.A. No.597-P/ 2021 and  
M. R. No.15-P/2021)

1. Muhammad Akbar  
2. Khan Akbar ...Petitioners

**Versus**

The State ...Respondent

For the petitioners: Syed Muhammad Tayyab Shah, ASC

For the State: Syed Kausar Ali Shah, Additional Advocate  
General, Khyber Pakhtunkhwa

For the complainant: Nemo.

Date of hearing: 29.05.2025

**ORDER**

**Athar Minallah, J.-** For reasons to be recorded later, this petition is converted into an appeal and the same is partly allowed. The appellant Muhammad Akbar is acquitted of the charge framed against him by extending the benefit of doubt in his favour; while the conviction of the appellant Khan Akbar is upheld but his sentence under section 302(b) PPC on three counts is modified to imprisonment for life on three counts. The compensation ordered by the trial court and later upheld by the High Court and the mode of its recovery are maintained. The sentences on three counts shall run concurrently. The benefit of section 382-B of the Cr. P.C. is extended in favour of the appellant. The petitioner Khan Akbar is also acquitted of the charge framed against him under sections 120-B, 109 and 34 of the PPC. The appeal is partly allowed in the above terms.

Judge

Judge

Judge

**Islamabad**

29<sup>th</sup> May, 2025

M. Azhar Malik/\*