

IN THE SUPREME COURT OF PAKISTAN  
(APPELLATE JURISDICTION)

**PRESENT:**

MR. JUSTICE ATHAR MINALLAH  
MR. JUSTICE IRFAN SAADAT KHAN  
MR. JUSTICE MALIK SHAHZAD AHMAD KHAN

**CRIMINAL MISC. APPLICATION NO. 1363 OF 2024 IN**  
**JAIL PETITION NO. 217 OF 2020**

*(Compromise)*

*(On appeal against the judgment dated 10.06.2020 of the Lahore High Court, Lahore passed in Cr. Appeal No. 489/2017 and Murder Reference No. 147/2017)*

Nazar Abbas

... Applicant/ Petitioner

**Versus**

The State

... Respondent

For the Applicant / Rai Tariq Saleem, ASC  
Petitioner:

For the State: Mr. Sajjad Hussain Bhatti, DPG

Date of Hearing: 12.05.2025

**ORDER**

**ATHAR MINALLAH, J.-**

**CRIMINAL MISC. APPLICATION NO. 1363 OF 2024**

The District & Sessions Judge, Jhang has sent his report dated 13.12.2024. The report explicitly states that the legal heirs of the deceased have not accepted the compromise since the convicted petitioner was not willing to accept the terms and conditions offered by them. Consequently, this application is dismissed.

**JAIL PETITION NO. 217 OF 2020**

2. The petitioner has sought leave against the judgment of the Lahore High Court, Lahore dated 10.06.2020. The petitioner was nominated in Crime Report No. 619 dated 22.11.2013 registered at Police Station Mochiwala, District Jhang under

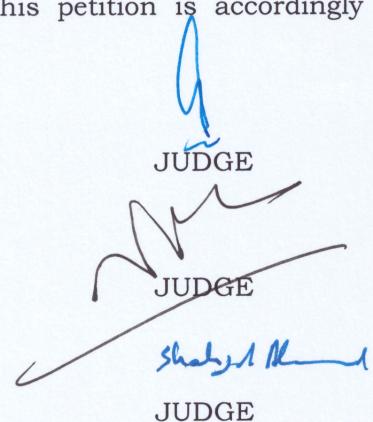
Section 302 PPC. Upon conclusion of the trial, he was convicted by the Trial Court under Section 302(b) PPC and was sentenced to death. He was also directed to pay compensation amounting to Rs.100,000/- to the legal heirs of the deceased or in default thereof to further undergo simple imprisonment for six months. In appeal, the learned High Court while maintaining the conviction of the petitioner under Section 302(b) PPC, altered the sentence of death into imprisonment for life. The amount of compensation and the sentence in default thereof was maintained. Benefit of Section 382-B Cr.P.C. was also extended in favour of the petitioner.

3. We have heard learned counsel for the petitioner as also learned Law Officer at length and have perused the record with their able assistance.

4. In this case, the petitioner was alleged to have murdered his wife. It was a daylight occurrence and had taken place in the house of the complainant Qaiser Abbas (PW-2). The prosecution in order to prove its case had produced Qaiser Abbas (PW-2) and Muhammad Aslam (PW-3) to depose the ocular account. Their depositions have been found to be reliable, consistent, trustworthy and confidence inspiring. The ocular account was supported by the medical evidence brought on record by Dr. Tahira Shameem (PW-1). The petitioner was arrested on 04.12.2013 and, thereafter, he had led to the recovery of the crime weapon. The spent bullets recovered from the crime scene were sent to the Forensic Science Laboratory on 27.11.2013. The Forensic Science Laboratory report was positive since one of the spent bullets recovered from the crime scene had matched with the crime weapon, which was recovered at the instance of the



petitioner. The High Court did not believe the factum of motive and, therefore, the sentence handed down by the Trial Court was modified from death to imprisonment for life. Learned counsel for the petitioner has not been able to point out any misreading or non-reading of evidence nor has been able to persuade us that a question of law has arisen for our consideration. The concurrent findings of the two courts below regarding the guilt of the petitioner have been found by us to be unexceptionable and no interference is required therewith. The High Court had modified the sentence from death to imprisonment for life on the basis of mitigating factors. The High Court had exercised its discretion in accordance with law and we are of the opinion that no interference is required with the quantum of sentence determined by the High Court. Consequently, leave is refused and this petition is accordingly dismissed.



JUDGE  
JUDGE  
Shahzad Khan  
JUDGE

Islamabad, the  
12<sup>th</sup> of May, 2025  
Not Approved For Reporting  
Khurram