

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT:

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

Cr.M.A.No.1690 of 2024 in Jail Petition No.419 of 2019
and Cr.M.Ao.1127 of 2019

(On appeal from the judgment dated 14.05.2019 of the Lahore High Court, Rawalpindi Bench passed in Crl.Apppeal No.1021/18 and Crl.Revision No.281/18)

Cr.M.A.1690/24 & JP 419/19

Taj Muhammad Khan ... Applicant/Petitioner

Versus
The State ... Respondent

Cr.M.A.1127/19

Allah Ditta ... Applicant

Versus
Taj Muhammad Khan and others ... Respondents

For the appellant/petitioner: Mr. Shahid Azeem, ASC
(In Cr.M.A.1690/24 & JP 419/19)

For the State: Mr. Sajjad Hussain Bhatti, DPG

For the complainant & applicant: Ch.Afsasiab Khan, ASC
(in Cr.M.A.1127/19)

Date of hearing: 11.04.2025

ORDER

Athar Minallah, J.- Taj Muhammad Khan ('applicant/petitioner') was tried pursuant to crime report No.342 dated 07.11.2015 registered at Police Station Saddar, Talagang for offences under section 302, 109 and 34 of the Pakistan Penal Code, 1860 ('PPC'). On conclusion of the trial, he was convicted under section 302(b) PPC and sentenced to life imprisonment with direction to pay Rs.500,000/- as compensation under section 544-A, Cr.P.C. to the legal heirs of deceased or in default thereof to undergo further six months simple imprisonment. The petitioner challenged his convictions and sentences through Criminal Appeal No.1021 of 2018 whereas the complainant filed Criminal Revision No.281 of 2018 for enhancement of sentence before the High Court. The High Court vide

impugned judgment dated 14.05.2019 upheld the conviction and sentence awarded by the trial court.

2. Petitioner has sought leave against the said judgment through Jail Petition No.419 of 2019. During pendency of the petition, he sought permission to compound the offence through Crl.Misc.A.No.1690 of 2024. A copy of the application along with relevant documents was sent to the Sessions Judge, Chakwal with the direction to record the statements of the legal heirs of the deceased, and further to verify the genuineness of the contents of the compromise and submit his report.

3. The report has been filed by the Sessions Judge. We have gone through the report as well as the statements of the legal heirs of the deceased recorded by the learned Sessions Judge. We have no reason to disagree with the opinion of the learned Sessions Judge that the compromise between the parties is genuine and the same is without any duress, fear or compulsion. The Deputy Prosecutor General has not opposed allowing of the compromise application. In view of the foregoing, the compromise application (Cr.M.A.1690/24) is allowed and the appellant/petitioner is acquitted of the charges. He shall be released from the prison forthwith, if not required to be incarcerated in any other case.

4. Accordingly, Jail Petition No.419 of 2019 is converted into an appeal and the same is allowed whereas Cr.M.A.No.1127 of 2019 is dismissed having become infructuous.

Islamabad:
11th April 2025
'NOT APPROVED FOR REPORTING'
(Aamir Sheikh)