

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

**Present:**

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

**Jail Petition No.535/2023**

Against the judgment dated 30.11.2023 of the High Court of Sindh, Circuit Court Hyderabad passed in Cr. J.A. No. D-101/2021, Confirmation case No.21/21.

Muhammad Ilyas @ Ilyas

...Petitioner(s)

**VERSUS**

The State

...Respondent(s)

For the Petitioner(s):

Mr. Hameed-uz-Zaman, ASC

For the State:

Mr. Khadim Hussain, Addl. PG

Complainant:

Nemo

Date of Hearing:

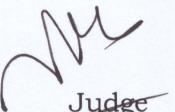
21.05.2025

**O R D E R**

**Athar Minallah, J.-** The petitioner, Muhammad Ilyas @ Ilyas has sought leave against the judgment of the High Court dated 30.11.2023. The petitioner was nominated in crime report No. 172 of 2020 registered at Police Station A-Section Dadu for commission of the alleged offence under section 302 PPC. The trial court, upon conclusion of the trial, convicted the petitioner under section 302(b) PPC and he was sentenced to death as Tazir with the direction to pay compensation of Rs.200,000/- to the legal heirs of the deceased under section 544-A Cr. P.C. The appeal preferred by the petitioner was dismissed by the High Court vide impugned judgment dated 30.11.2023. The reference was answered in the affirmative and, consequently, sentence of death was confirmed.

2. We have heard the learned counsel for the petitioner and the learned Additional Prosecutor General appearing for the State. We have also perused the record with their able assistance.

3. The petitioner was the sole nominated accused and he was alleged to have taken the life of his own father i.e. deceased victim of this case. The occurrence had taken place on 16.08.2020. The prosecution had produced seven witnesses. Two witnesses i.e. Muhammad Azeem (PW.1) and Muhammad Saleem (PW.2) had deposed the ocular account. Both the witnesses were consistent in all material facts and their depositions have been found by us to be reliable, trustworthy and confidence-inspiring. The medical evidence brought on record supported the ocular account while the positive report regarding the recovery of crime weapon corroborated the ocular account deposed by the two witnesses. The prosecution, in our opinion, had proved its case beyond a reasonable doubt. The learned counsel has argued that the motive in this case was not proved by the prosecution. This argument is misplaced because in the facts and circumstances of this case, the exercise of discretion by the competent court and, thereafter, confirmed by the High Court was justified. The petitioner had caused the unnatural death in gruesome manner of his own father. The conviction and sentence in this case have not been found to suffer from any legal infirmity and the learned counsel for the petitioner has not been able to point out any mis-reading or non-reading of evidence. No question of law has arisen for our consideration. Leave is, therefore, refused and the petition is accordingly dismissed.

  
Judge  
Judge  
Shahid M. A  
Judge

ISLAMABAD  
21.05.2025  
Naseer

*"Not Approved for Reporting"*