



PESHAWAR HIGH COURT ABBOTTABAD BENCH*JUDICIAL DEPARTMENT***JUDGMENT SHEET****Cr. A No. 53-A/2023***Date of hearing 02.11.2023.**Appellant/s (Abdul Waheed) by M/s. Fazal-e-Haq Abbasi, Awais Abbasi, Advocates.**Respondent/s (The State) by Sardar Waqar-ul-Mulk, AAG and complainant/respondent No. 2 by Mr. Shad Muhammad Khan, Advocate.*

MUHAMMAD IJAZ KHAN, J. For the reasons to be recorded later, this appeal is allowed, the impugned order and judgment of learned Additional Sessions Judge-I/JBVC, Mansehra dated 22.02.2023 passed in case FIR No. 40 dated: 01.02.2022 registered under sections 302/202/34 PPC at Police Station, Baffa District Mansehra, whereby the appellant was convicted and sentenced under section 316 PPC instead of 302/202/34 PPC, is set aside and consequently, the appellant is acquitted of the charges levelled against him. He be set free from jail, if not required in any other case.

Announced.***02.11.2023.****Tahir PS*


JUDGE

JUDGE