

**JUDGMENT SHEET  
IN THE PESHAWAR HIGH COURT,  
MINGORA BENCH (DAR-UL-QAZA), SWAT  
(Judicial Department)**

**Jail Criminal Appeal No. 233-M/2016  
With Murder Reference No. 08-M/2016**

**ORDER**

Date of hearing: **28.11.2017**

Appellant: (Sultanat Khan) by  
Mr. Razaullah, Advocate.

Respondents: (State and complainant) by  
Mr. Rafiq Ahmad, Assistant Advocate  
General.


**ISHTIAQ IBRAHIM, J.-** For reasons to be recorded later on in the detailed judgment, this appeal is partially allowed, the impugned judgment dated 12.11.2016 rendered by the learned Sessions Judge/Zilla Qazi, Shangla Camp Court at Swat, in case F.I.R No. 424 dated 20.10.2014 under Sections 302/324 PPC registered at Police Station Bisham, District Shangla, is modified and consequently conviction of the appellant Sultanat Khan son of Abdul Sattar is converted from 302 (b) PPC to 302 (c) PPC and his sentence is reduced from death to 14 (fourteen) years rigorous imprisonment. The compensation of Rs.200,000/- imposed upon the appellant under Section 544-A, Cr.P.C as well as his conviction and sentences of imprisonment and fine under sections 324 & 337-F(iii) P.P.C shall remain

intact. All the sentences shall run concurrently. Benefit of Section 382-B, Cr.P.C is extended to the appellant. Murder Reference No.08-M/2016 is answered in Negative. The connected JCr.A No. 234-M/2016 is dismissed, conviction of the appellant under Section 13 A.O in case F.I.R No. 425 dated 20.10.2014 of Police Station Bisham is maintained, however, by means of discretion contained in Section 397, Cr.P.C, the sentence awarded to the appellant for the said offence shall run concurrently alongwith the sentences under Sections 302/324/337-F(iii) P.P.C with benefit of Section 382-B, Cr.P.C.

Announced.  
Dt: 28.11.2017

  
JUDGE

  
JUDGE

  
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