

Judgment Sheet

PESHAWAR HIGH COURT, ABBOTTABAD BENCH

JUDICIAL DEPARTMENT

Jail Criminal Appeal No.63-A/2022 with
Murder Reference No.01-A/2022

Siraj Ahmad... (Appellant)

versus

The State... (Respondent)

Present: Ms Lubna Khan, Advocate for appellant.
Sardar Waqar-ul-Mulk, Assistant Advocate
General for State;

Mr.Awais Abbasi, Advocate for complainant.

Date of hearing: **14.11.2023.**

JUDGMENT

MUHAMMAD IJAZ KHAN, J.- For the reasons recorded later, this Jail Criminal Appeal is partially allowed and the convictions awarded to appellant namely Siraj Ahmad by the learned trial court vide order and judgment dated 17.03.2022 under section 302(b) PPC, under section 376(3) PPC and under section 53 of The Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010 in case FIR No.496 dated 18.08.2019 under sections 302/376 PPC read with section 53 of The Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010, Police Station


(DB) Hon'ble Mr.Justice Kamran Hayat Miankhel,
Hon'ble Mr.Justice Muhammad Ijaz Khan.

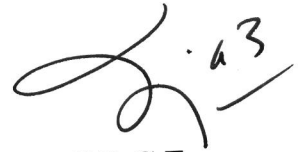
Nawanshehr, Abbottabad, are maintained, however, sentences of the appellant under section 302(b) PPC as well as under section 376(3) PPC are reduced from death on two counts to the imprisonment for life on two counts (the former as Ta'zir). The rest of the sentences of the learned trial court qua the payment of compensation amount of Rs.500,000/- to the legal heirs of deceased under section 544-A Cr.PC and payment of fine amounts shall remain intact. All the sentences of imprisonment awarded to the appellant shall run concurrently and the benefit of section 382-B Cr.PC is also extended to him. Since we have reduced the sentences of the appellant from death to the imprisonment for life on two counts, therefore, Murder Reference No.01-A/2022 sent by the trial court to this court is answered in negative.

ANNOUNCED.

14.11.2023.

(Jamil)


JUDGE


JUDGE