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IN THE COURT OF VII-ADDITIONAL SESSIONS JUDGE KARACHI EAST
GENDER BASED VIOLENCE COURT

Exh. 13

BEFORE:

LIAVED HYDER PHULPOTOI

Sessions Case No. 832/2019

The State

VERSUS

Shahid Hussain S/o Muhammad Razaq Accused

FIR No. 63/2019

U/S. 376/377 PPC

R/w 375/377-B/377-A PPC

P.S. Model Colony, Karachi

Mr. Ashraf Ali Akhmal, learned ADFY for the State

Ms. Asiya Munir, learned counsel for the complainant

Mr. Muhammad Razaq Arain, learned counsel for the Accused

JUDGMENT

17.07.2021

Accused Shahid Hussain is facing trial for offence punishable U/s.376/377 PPC registered at P.S Model Colony Karachi bearing crime No. 63/2019.

2. The precise facts of prosecution case as unfolded in the F.I.R (Kah-03/19) are that on 14.03.2019 daughter of the complainant namely Sawera aged about 10 years was not feeling well and she was not going to school. It is further alleged that on 09.03.2019 on enquiry Sawera/victim informed complainant that she was feeling pain in her legs and further informed complainant that her father/accused Shahid Hussain had committed sinful act with her (MERE SAATH GALAT KAAM KAR CHUKA HAI) at about 04:00 pm on Thursday (JUMERAT). It is further alleged that complainant inquired from her husband/accused but the accused starting maltreating her hence complainant brought her daughter at JPMC for medical treatment. Finally, F.I.R. was lodged at P.S Model Colony. After usual investigation IO submitted CHALLAN showing accused Muhammad Shahid in custody.

3. The R & Ps of above said case were received to this Court from the court of learned XIth Additional Sessions Judge, Karachi East for disposal in accordance with law

Handwritten signature and date: 17.07.21

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4. A formal charge was framed as Exh-2, to which accused pleaded not guilty as Exh-2/A and claimed trial.

5. In order to prove its case prosecution examined PW-1/Sajna as Exh-03. She produced statement U/s 154 Cr.Pc as Exh-03/A, F.I.R. as Exh-03/B, memo of place of incident as Exh-03/C and memo of seizure as Exh-03/D. PW-2/HC Shakeel Ali Abbasi was examined as Exh. 04. He produced memo of arrest and recovery as Exh. 04/A. PW-03/ASI Musarat Hussain was examined as Exh-05. He produced ROZNAMCHA entry No.23 as Exh-05/A and letter issued to MLO for treatment as Exh-05/B. Learned ADPP gave up PW-Malik Waqas vide his statement as Exh-06. PW-04 Ali Nawaz was examined as Exh-07. He produced memo of arrest as Exh-07/A. PW-05/Dr. Noor un Nisa was examined as Exh-08. She produced ML certificate as Exh-08/A. PW-06/Sawera was examined as Exh-09. PW-07/Inspector Basharat Ali was examined as Exh-10. He produced NAKSHANAZRI as Exh-10/A, letter dated 19.03.2019 as Exh-10/B, letter dated 16.03.2019 as Exh-10/C, CRO of accused as Exh-10/D and Exh-10/E, letter dated 22.03.2019 as Exh-10/F, letter dated 21.01.2021 as Exh-10/G, DNA report as Exh-10/H, ROZNAMCHA entries as Exh-10/I to 10/Q. PW-08/Gul Muhammad was examined as Exh-11. PW-09/ MLO Dr. Abdul Ghaffar Shaikh was examined as Exh-12. He produced letter dated 16.03.2019 as Exh-12/A, ER slip No. 2019/94304 as Exh-12/B and MLC as Exh-12/C.

6. Learned ADPP closed prosecution side vide his statement as Exh-13.

7. Accused denied prosecution allegations in his statement recorded U/s. 342 Cr.Pc as Exh-14 Accused claimed to be innocent and accused further stated that he saw his wife who is complainant in this case in objectionable position with one stranger namely Shakeel S/o Khalil. Accused further stated that he restrained his wife time and again and complainant used his daughter Sawera in order to save her skin. However, accused neither examined himself on oath nor produced defense witnesses.

8. Heard learned counsel for the parties and perused the record.

9. Learned counsel for the complainant contended that the PWs have supported the allegations of prosecution and there are no contradictions in the statements of PWs. She argued that medical evidence and DNA report also corroborates version of prosecution. She argued that in such like cases solitary statement of victim is sufficient for convicting accused if it is trustworthy and reliable. She contended that due to honor the complainant could not lodge F.I.R promptly and such delay is explained by the prosecution. She argued that the prosecution has proved its case against the accused beyond reasonable shadow of doubt. She relied upon 2006 SCMR 338, 2006 SCMR 1042, 2007 SCMR 473, 2011 SCMR 1665, 2013 MLD 1790, PLD 2021 Supreme Court 550, 2016 MLD 129 Sindh, 2013 SCMR 203, 2016 PCr. LJ 1888 Sindh and PLD 2021 Supreme Court 362. She contended that such type of offences are increasing day by day and she prayed that accused should be convicted in accordance with law.

10. On the other hand, learned ADPP for state adopted same arguments of learned counsel for the complainant.

11. On the contrary, learned counsel for the accused contended that the complainant lodged F.I.R with delay of about 07 days and complainant also handed over clothes of the victim after 19 days of delay to IO for which no plausible explanation is extended by the prosecution. He contended that the complainant got medical examination of victim/Sawera from JPMC without getting letter from concerned P.S. He argued that IO neither prepared NAQSHANAZRI of place of incident nor took photographs of place of incident. He contended that the clothes of victim are manipulated by complainant in collusion with IO. He contended that there are material contradictions in statements of PWs. He argued that statement of victim U/s. 164 Cr.Pc was not got recorded by concerned IO. He argued that the DNA report and medical evidence does not support the version of prosecution. He argued that the case of prosecution is full of doubts. He argued that accused saw his wife/complainant in objectionable position with Shakeel S/o Khalil and he restrained complainant. He argued that complainant used his daughter Sawera/victim to save herself. He contended that accused is falsely implicated by his own wife in this case. He prayed that accused may be acquitted from this case.

12. The points for determination are as under: -

i). Whether present accused *Muhammad Shahid* on 07.03.2019 at about 04:00pm committed carnal intercourse against the order of nature with his daughter Sawera/victim and also committed rape upon Sawera inside his House situated bearing No. 43, Sheet No. 23, Model Colony Karachi, as alleged by the prosecution?

ii). What offence, if any is committed by the accused?

13. The findings along with reasons on the above said points are as under: -

Point No.1..... Proved

Point No.2..... Convicted U/s. 265-H (ii) Cr.Pc.

REASONS:

POINT NO.1:

14. To prove point No.1, prosecution examined complainant Sajna, Mashir of memo of arrest HC Shakeel Ali Abbasi, author of F.I.R ASI Mussarat Hussain, Mashir of memo of arrest Ali Nawaz, WMLO Dr. Noor Un Nisa, victim Sawera, IO Inspector Basharat Ali, Gul Muhammad and MLO Abdul Ghaffar Shaikh.



PW-01 Sajna (complainant) deposed in her examination in chief that she has three children and victim of this case is Sawera who is aged about 08 years. PW-01 Sajna deposed that the name of her husband is Shahid. PW-01 Sajna deposed that she works in different houses as house maid. PW-01 Sajna deposed that her daughter Sawera informed her that she had pain in her legs, she asked the reason of that pain on which Sawera informed her that her father committed rape upon her in the month of March, 2019 at their house when she was at her work. PW-01 Sajna deposed that she took her daughter to Jinnah Hospital where lady doctor conducted medical examination of her daughter. PW-01 Sajna deposed that during medical treatment, a police official came at the hospital who recorded her statement under section 154 Cr.Pc and she put her thumb impressions thereon. She produced such statement at Exh-03/A. PW-01/Sajna deposed that on her such statement, F.I.R was lodged and she produced F.I.R at Exh-03/B. PW-01 deposed that she doesn't remember the date but at about 11:00 pm police official came at her house and inspected the place of occurrence in her presence and prepared memo of inspection and obtained her thumb impression. She produced memo of place incident at Exh-03/C. PW-01 deposed that she alongwith her brother Ali Nawaz went to police station and handed over the clothes i.e. SHALWAR embroidered, KARAHI on it with red colour, blue colour Qameez of her daughter Sawera to police official namely Basharat. PW-01 Sajna deposed that the said police officer sealed the clothes and prepared memo of seizer and obtained her thumb impression. She produced memo at Exh-03/D. PW-02 Shakeel Ali Abbasi deposed in his examination in chief that on 15.03.2019 SI Basharat arrested accused and on his personal search he recovered Rs. 570/- , copy of CNIC and misc. visiting cards. PW-02 Shakeel Ali Abbasi deposed that SI Basharat prepared memo of arrest and recovery at the spot and obtained his signature on it. He produced memo of arrest and recovery at Exh. 4/A. PW-03 ASI Mussarat Hussain deposed in his examination in chief that his duty hours were from 08:00 am to 08:00 pm and he received information that one victim namely Sawera d/o Shahid aged about 10 years was subjected to rape by her father and she was admitted at JPMC hospital. PW-03 ASI Mussarat Hussain deposed that he rushed to the hospital and he recorded statement of Mst. Sajida w/o Shahid Hussain. PW-03 ASI Musarrat Hussain deposed that he lodged F.I.R bearing crime No. 63/2019 U/s 377 PPC. He produced ROZNAMCHA entry No. 23 as Exh-04/A and letter issued to MLO for treatment as Exh-04/B. PW-03 ASI Musarrat Hussain deposed that he handed police papers to SIO SIP Basharat Ali for investigation. PW-03/ASI Musarrat Hussain deposed that IO also recorded his statement U/s 161 Cr.Pc. PW-04 Ali Nawaz deposed in his examination that on 14.03.2019 police visited the place of incident and police prepared such memo in his presence and co-mashir was his sister namely Mst. Sajna. PW-04 Ali Nawaz deposed that on 15.03.2019 police arrested accused person namely Shahid Hussain and police prepared such memo in his presence and co-mashir was Gul Muhammad. He produced photostate attested copy of memo of arrest as Exh-06/A. PW-04 Ali Nawaz deposed that he handed over clothes of victim to police



and police prepared such memo. PW-04 Ali Nawaz deposed that his mother namely Asiya informed him that accused Shahid Hussain had committed rape with her daughter namely Sawera. PW-04 Ali Nawaz deposed that police also recorded his statement. PW-05 Dr. Noor un Nisa deposed in her examination in chief that on 14.03.2019 she was WMLO at JPMC and on the same date at about 09:21 am ASI Abid Hussain of police Station Model Colony produced victim/Sawera aged about 10 years for medical examination in crime No. 63/2019. PW-05 Dr. Noor un Nisa deposed that she received letter from IO medical examining the victim. She produced medico legal certificate as Exh. 07/A. Dr. Noor un Nisa deposed in her examination in chief that:-

As per clinical examination the girl has been subjected to vaginal and anal intercourse. Furthermore, swab has collected made for both DNA and chemical analysis.

PW-06 Sawera (victim) deposed in her examination in chief that this incident took place on 07.03.2019 and on the same date she went to Faryal School. PW-06 Sawera deposed that she alongwith her brothers namely Shahzaib and Shoaib came back to her house at about 04:00 pm. PW-06 Sawera deposed that her father namely Shahid Hussain was available at their house. PW-06 Sawera deposed that her father sent her brothers outside of their house and her father locked the door of their house. PW-06 Sawera deposed that her father took her in one room of their house. PW-06 Sawera deposed that her father got her sat in his lap and her father got her slept on cot face down side (ULTA LETAYA). PW-06 Sawera deposed that accused namely Shahid Hussain removed her SHALWAR and accused committed rape upon her and accused also committed carnal intercourse (DONU SIDE SE KIYA) with her. PW-06 Sawera deposed that she raised cries as she was feeling pain. PW-06 Sawera deposed that her mother suddenly came at their house. PW-06 Sawera deposed that her mother had gone for her work. PW-06 Sawera deposed that her mother knocked at the door and her father opened the gate of their house. PW-06 Sawera deposed that her father had sent her to washroom before opening the door. PW-06 deposed that she narrated the facts of incident to her mother namely Sajida. PW-06 Sawera deposed that her mother enquired from her father about the incident but he (accused) denied. PW-06 Sawera deposed that her mother took her to Jinnah Hospital where her medical examination was conducted. PW-06 Sawera deposed that they went to P.S where FIR was lodged. PW-07 Inspector Basharat Ali deposed in his examination in chief that on 14.03.2019 he received FIR bearing crime No. 63/2019 registered U/S 377 PPC for investigation. PW-07 Inspector Basharat Ali deposed that he visited the place of incident on the same date and prepared Mashirnama in presence of Mashirs namely Mst. Sajina and Gul Muhammad. PW-07 Inspector Basharat Ali deposed that he also prepared NAKSHANAZRI. He produced NAKSHANAZRI as Exh-09/A. PW-07 Inspector Basharat Ali deposed that he arrested the accused on



18.03.2019 and prepared such Mashirnama in presence of Mashirs namely Ali Nawaz and HC Shakeel. PW-07 Inspector Basharat Ali deposed that he seized clothes of the victim under memo prepared in presence of Mashirs namely Mat. Sajina and Ali Nawaz. He produced NAKSHANAZRI as Exh-10/C, letter dated 19.03.2019 as Exh-10/B and 10/E, letter dated 16.03.2019 as Exh-10/C, CRO of accused as Exh-10/D and 10/E, letter dated 22.03.2019 as Exh-10/F, letter dated 21.03.2021 as Exh-10/G, DNA report as Exh-10/H and ROZNAMCHA entries as Exh-10/I to 10/Q. PW-08 Gul Muhammad deposed in his examination in chief that on 14.03.2019 he alongwith Sub Inspector Basharat Ali, Sajina and Ali Nawaz visited the place of incident and prepared memo of place of incident and NAKSHANAZRI in his presence and co-mashir was Ali Nawaz and Sajina. PW-09 Dr. Abdul Ghaffar Sheikh deposed in his examination in chief that on 16.03.2019 he was MLO posted at JPMC. PW-09 Dr. Abdul Ghaffar Sheikh SI Basharat of PS Model Colony brought accused Shahid Hussain aged about 25 years for examination of male potency then he examined the patient with general condition conscious. Observation of Dr. Abdul Ghaffar Shaikh are reproduced as:-

No hemorrhoids

No Hernia

Secondary sexual character: Well Developed

Penial erection seen on prostatic Massage

OPINION

He is mature enough to perform sexual intercourse at this time. I produce letter dated 16.03.2019 as EXH-11/A, ER slip No. 2019/34304 as Exh-11/B and MLC as Exh-11/C.

16. On scanning the material brought on record, it shows that complainant Sajna alias Sajida has three children and victim/Sawera aged about 11 years now is her daughter. Complainant was residing at Model Colony, Karachi with her husband who is accused in this case. Complainant is house maid and she is uneducated while accused Shahid Hussain is doing work of shattering. Sajna PW-01 deposed in her examination in chief that Sawera informed her that she had pain in her legs and on inquiry Sawera informed complainant that her father had committed rape upon her in the month of March 2019 at their house when complainant was at her work. On gaining such knowledge complainant Sajna took her daughter to JPMC where lady doctor examined Sawera/victim and during medical treatment police officer came at the hospital who recorded statement of the complainant. The statement of Sajna PW-01 was incorporated into the book of 154 Cr.Pc. She produced her statement recorded at JPMC as Exh-03/A and F.I.R. as Exh-03/B. After registration of F.I.R police visited place of incident and prepared memo of place of incident in her presence and co-mashir was Gul Muhammad. Complainant/Sajna handed over clothes of victim to police under memo of seizure prepared in her presence and co-mahshir was



Ali Nawaz, Sajna PW-01 produced memo of place of incident as Exh-03/C and memo of seizure as Exh-03/D. Sawera PW-06 deposed in her examination in chief that on 07.03.2019 she alongwith her brothers namely Shahzaib and Shoaib came back to their house at about 04:00 pm. Sawera PW-06 deposed that her father namely Shahid Hussain/accused was available at their house and accused sent her brothers outside of their house. Sawera PW-06 deposed that her father/accused locked the door of their house and her father took her in one room of their house. Sawera PW-06 deposed that her father got her sat in his lap and her father got her slept on cot face down side (ULTA LETAYA). Sawera PW-06 deposed that accused namely Shahid Hussain removed her SHALWAR and accused committed rape upon her and accused also committed carnal intercourse (DONU SIDE SE KIYA) with her. Sawera PW-06 deposed that she raised cries as she was feeling pain. Sawera PW-06 deposed that her mother suddenly came at their house. Sawera PW-06 deposed that her mother had gone at work. Sawera PW-06 deposed that her mother knocked at the door and her father opened the gate of their house. Sawera PW-06 deposed that her father had sent her to washroom before opening the door. Sawera PW-06 deposed that she narrated the facts of incident to her mother namely Sajida. Sawera PW-06 deposed that her mother enquired from her father about the incident but he (accused) denied. Sawera PW-06 deposed that her mother took her to Jinnah Hospital where her medical examination was conducted. Dr. Noor un Nisa PW-05 examined Sawera/victim and her observation are reproduced as:-

Marks of Violence

No mark of injury seen anywhere over body at the time of examination.

Clothes of incident:	Changed
Hygiene:	Satisfactory
Bath:	Taken
Urine:	Passed
Stool:	passed
Private parts:	washed

Per Vaginal Examination

External Genitalia:	Gie confused-Non cooperative
Pubic Hairs:	Not present
Vestibule:	Congested
Vulva:	Deeply Congested
Vagina:	Darkened torused over edges of hymenal over and tear at 07 position. Swelling tender to touch. Congested in toxitus.
	Post commission intact but congested
	Nil
	Slightly discharged seen

Hymen:
Bleeding P/V:
Discharge:

17/3/19

Per Anal Examination

Separation of buttocks: Painful
Peri-anal region/ Rugosities: Rugosities
Tone & Shape of anal orifice: Rounded intact Congested
Digital anal examination: Act: post. wall tender. Clotted again of Blood
Bleeding P/A: Nil
Abrasion seen on 12 act 6 O' Clock position extend anal orifum.

OPINION

As per clinical examination the girl has been subjected to vaginal and anal intercourse. Furthermore, swab has collected made for both DNA and chemical analysis.

17. The conclusion of the Forensic & Molecular Biology Laboratory for DNA Testing as Exh-10/H is reproduced as:-

"The accused Shahid Hussain S/o Muhammad Raman (item 4.0) is the contributor of Semen stains/ Sperm fractions identified on clothes of victim Baby Sawera D/o Shahid (item 2.1 & item 2.2)".

18. The allegations of prosecution are corroborated by medical evidence and the DNA also supports the version of prosecution.

19. A potency test was also performed on the accused and PW-09 Dr. Abdul Ghaffar Shaikh deposed that the accused is potent and capable of performing sexual intercourse. Dr. Abdul Ghaffar Shaikh (PW-09) also testified against the accused and he too stood by his account during his cross examination.

20. Section 376 PPC defines rape and in explanations it has been mentioned that penetration is sufficient to constitute the sexual intercourse, which is necessary for evidence of rape. In the present case, it is proved that victim had not given any consent, rather she was forced. The prosecution has produced ample material on record showing that accused Shahid Hussain on 07.03.2019 at hour 04:00 pm inside his house committed carnal intercourse with his daughter Sawera/victim and accused also committed rape upon her.

21. Accused denied prosecution allegations in his statement recorded U/s.342 Cr.Pc as Exh-14 Accused claimed to be innocent and accused further stated that he saw his wife who is complainant in this case in objectionable position with one stranger namely Shakeel S/o Khalil. Accused further stated that he restrained his wife time and again and complainant used his daughter Sawera in order to save her skin.



Complainant denied suggestion in her cross examination that she had illicit relationship with another person and accused/his husband raised objection. The record indicates that no specific suggestion was put to the private PWs in their cross examination that the accused is implicated in this case as accused saw complainant in objectionable position with Shakeel s/o Khalil and complainant used his daughter Sawera/victim in this case to save her skin. Accused also did not produce his family members to disprove the allegations of prosecution. Moreover, in such like cases perpetrator levels allegations upon the complainant on the ground that lady/complainant had illicit relationship with stranger in order to get sympathy in our society and get scot-free from the allegations. The stand taken by accused is not probable in the present circumstances.

23. As regard contention of learned counsel for accused regarding non-availability of violence mark at person of victim is concerned, mere absence of injuries on the body of a victim is not proof enough of the crime not having been committed. Mark of violence is not necessary to prove the factum of rape as held in Ghulam Sarwar versus The State PLD 1984 SC 218. The contention of learned counsel for the accused does not carry weight.

24. So far contention of learned counsel for the accused that the DNA report does not support the version of prosecution is concerned, PW-6/Sawera has deposed in her examination in chief that accused Shahid Hussain committed rape upon her and accused also committed carnal intercourse with her. The allegations of victim are supported by medical evidence. Solitary testimony was enough for conviction if it inspired confidence as held in Mst. Nasreen versus Fayyaz Khan and another in PLD 1991 Supreme Court 412. Moreover, DNA report produced as Exh.10/H also corroborates the allegations of prosecution hence the contention of the learned counsel for the accused are without substance.

25. So far delay in lodging of the F.I.R is concerned, complainant lodged F.I.R with delay of about 07 days. Delay in reporting the crime to the police in respect of an offence involving a person's honour, reputation and society may view unsympathetically which could prey on the minds of a victim and her family and deter them to go to the police promptly. Delay in lodging of F.I.R is immaterial as people naturally avoided rushing to the police because of family honour. The complainant has explained the reasons for delay in lodging of the F.I.R. Material brought on record by the prosecution cannot be discarded on the grounds of delay in lodging of the F.I.R. in present circumstances.

26. The statement of the victim is straight-forward and narrated the entire incident in a very innocent and natural manner and the defense failed to establish that there was any exaggeration in the statement of the said victim. The complainant Sajida, victim/Baby Sawera have specifically disclosed the date, time and manner in which the said incident took place. The medical evidence furnished by Dr. Noor un Nisa and Dr. Abdul Ghaffar Shaikh also corroborates the allegations of prosecution. Ali Nawaz, IO/Basharat Ali and ASI Mussarat Hussain have also supported prosecution.



27. The learned counsel for the accused pointed out contradictions in the statements of PWs which are minor in nature and the evidence brought on record by the prosecution cannot be brushed aside on that sole ground. The alleged offence is heinous offence which can destroy the entire psychology of a victim by putting her and his family to public shame. It is a stigma with which the family has to face with and is the most hatred crime. Such kind of gruesome offence is not against the individual only but it is also against the good conscience of the society.

28. All the PWs have supported the version of prosecution on the date, time and place of the alleged incident. All the PWs identified the accused in the Court. The PWs were cross examined at considerable length but no discrepancy causing reasonable doubt in the veracity of the prosecution case was found. The prosecution has produced ample material on record leading to the conclusion that the accused has committed carnal intercourse against the nature with Sawera/victim and also committed rape upon Sawera.

29. In view of above discussion and case law referred by the learned counsel for the complainant, prosecution has produced ample ocular account coupled with medical evidence which supports the allegations of prosecution. The evidence brought on record inspires confidence and there are no material contradictions in the statements of PWs creating reasonable doubt in the case of prosecution. The prosecution has proved its case against the accused for offence

punishable under Sec. 376 (i), 377 PPC. The point No. 01 is answered as proved.



POINT NO. 2

30. The upshot of discussion of point No. 01 is that the prosecution has brought home guilt against the accused for offence punishable U/s. 377 & 376(i) PPC hence the accused *Shahid Hussain S/o. Muhammad Ramzan* is convicted U/s. 265 H (ii) Cr.Pc. The accused *Shahid Hussain S/o. Muhammad Ramzan* is sentenced for offence punishable U/s. 377 PPC to suffer rigorous imprisonment for 10 (ten) years and to pay fine of Rs. 50,000/- in case of default accused shall undergo further simple imprisonment for 06 months. The accused *Shahid Hussain S/o. Muhammad Ramzan* is also sentenced for offence punishable U/s. 376 (i) PPC to suffer rigorous imprisonment for 14 (fourteen) years and to pay fine of Rs. 50,000/- in case of default accused shall undergo further simple imprisonment for 06 months. The accused is extended benefit U/s. 382 (B) Cr.Pc. Both the punishments awarded to the accused shall run concurrently. The accused is produced in custody and he is sent back alongwith conviction warrant to serve out the sentence awarded to him in accordance with law.

Note: The copy of Judgement is provided to the accused free of cost under receipt and he was informed time/limitation for filling of the appeal before Honorable High Court, if he so desires under the law.

Announced in open Court.
Given under my hand and seal of the Court,
This 17th day of July, 2021.

(JAVED HYDER PHULPOTO)
VII-ADDITIONAL SESSIONS JUDGE
GENDER BASED VIOLENCE COURT
KARACHI, EAST
17/07/21

CASE PROPERTY ORDER

The case property i.e. clothes may be disposed-of in accordance with law after expiry period of appeal.

(JAVED HYDER PHULPOTO)
VII-TH ADDL. SESSIONS JUDGE
GENDER BASED VIOLENCE COURT
KARACHI (EAST)
17/07/21



17-2

حاجہ عرفانہ بیگم

Exh.15

COURT OF VII-ADDITIONAL SESSIONS JUDGE KARACHI EAST/
GENDER BASED VIOLENCE COURT
BEFORE: (IAVED HYDER PHULKOTO, JUDGE)
Sessions Case No. 832/2019
The State
Versus
Shahid Hussain S/o Muhammad Ramzan.....Accused

FIR No. 63/2019
U/S. 376/377 PPC
R/w 375/377-B/377-A PPC
P.S. Model Colony, Karachi

RECEIPT

حجنت کی کاپی میں نے وصول کی



Signature/Thumb Impression

Of Accused

dated: 17.07.2021



IN THE COURT OF VII ADDITIONAL SESSIONS JUDGE KARACHI EAST/
GENDER BASED VIOLENCE COURT
BEFORE: (JAVED HYDER PHULPOTO, JUDGE)
Sessions Case No. 832/2019
The State
Versus
Shahid Hussain S/o Muhammad Ramzan..... Accused

PIR No. 63/2019
U/S. 376/377 PPC
W/w 375/377-B/377-A PPC
P.S. Model Colony, Karachi

To:
The Superintendent
Central/Malir Prison,
Karachi.

SUBJECT: CONVICTION WARRANT

Whereas the Sessions held on this 17th day of July, 2021, before Mr. Javed Hyder Phulpoto, VII-Additional Sessions Judge, Karachi East/Gender Based Violence Court, in presence of learned ADPP for the State Mr. Ashraf Ali Abbasi and in presence of defence counsel Mr. Muhammad Ibrar Arain, Accused *Shahid Hussain S/o Muhammad Ramzan* is convicted under section 265-H (ii) Cr.Pc for the offences punishable under section 377 & 376 (i) PPC, and sentenced him to suffer rigorous imprisonment for 10 (ten) years for offence punishable U/s. 377 PPC and pay fine of Rs. 50,000/-, in case of default in payment of fine, accused shall further undergo simple imprisonment for 06 months. Accused is also sentenced to suffer rigorous imprisonment for 14 (fourteen) years for offence punishable U/s. 376 (i) PPC and pay fine of Rs. 50,000/-, in case of default in payment of fine, accused shall further undergo simple imprisonment for 06 months. The accused is extended benefit U/s.382 (B) Cr.Pc. The accused is produced in custody and accused is sent back with conviction warrant.

You are therefore, required to receive the custody of the accused *Shahid Hussain S/o. Muhammad Ramzan* alongwith conviction warrant and execute the sentence awarded to him in accordance with law.

Given under my hand and seal of the Court, this 17th day of July, 2021.

(JAVED HYDER PHULPOTO)
VIIth ADDL. SESSIONS JUDGE
GENDER BASED VIOLENCE COURT
KARACHI EAST

17.07.2021
VIIth Additional Sessions Judge
Karachi East



Mustafa
17-07-2021