

IN THE COURT OF ADDL. SESSIONS JUDGE-XTH, KARACHI WEST
BEFORE:- (IRSHAD HUSSAIN)(J)

Ex. No.13.

S.C. No. 292 / 2020

The State

Versus

Iftikhar Ahmed alias Babu son of Ejaz Ahme.....Accused

Offence under section 376 PPC

(Cr. No. 444/2019 of P.S Mominabad, Karachi)

Mr. Farrukh Shareef, Learned Counsel for Accused
Ms. Jameela Saeed Otho, Learned ADPP For The State
Ms. Asia Munir, the learned counsel for the complainant.

JUDGMENT

07.02.2022

1. The above named accused was sent up by S.H.O of P.S. Mominabad, Karachi West to face his trial, for offence punishable under section 376 PPC bearing crime No.444/2019 registered at P.S Mominabad, Karachi West.
2. Brief facts of prosecution case as narrated in the FIR by complainant Muhammad Sirajuddin Abbasi son of Shahabuddin are that his niece Fiza D/o Ali Muhammad aged about 15 years is residing at House NO.A-450, Hanifabad, Sector 10, Orangi Town, Karachi along with her parents, on 05.11.2019 he was on work, he informed through telephone by his inmates that Fiza has drunk poison and now she is under treatment in Abbasi Shaheed Hospital, on this information he went to Abbasi Shaheed Hospital, his niece was under treatment in Emergency Ward, he inquired from Fiza, why she has drunk poison, Fiza informed him that her father's friend Iftikhar alias Babu son of not known was visiting her at her house and he was forcibly committing Zina with her for the last six months, she informed to her parents but both of them did nothing, whenever Iftikhar alias Babu come to her he brought something of eating for her and after eating that thing she become unconscious, on 05.11.2019 Iftikhar alias Babu came at her house, she became angry and drunk poison (mouse killed medicine), her mother brought her in Abbasi Shaheed Hospital. He claimed against Iftikhar alias Babu to commit Zina with her niece for the last six months. On this police registered the FIR U/s 376 PPC against the present accused. Meanwhile the above named accused was arrested and after usual investigation he was challaned.
3. The necessary documents were supplied to the accused vide receipt at Ex.1.



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under discussion is answered in affirmative.

POINT NO. 2:

34. In view of forgoing facts, circumstances and discussions made in point No.1. this Court has reached to the conclusion that the accused has committed shameful act of rape of victim Mst. Fiza as such he requires no leniency under the law. The offence of commission of rape U/s. 376 has been fully proved against the accused beyond shadow of any doubt. The accused Iftikhar Ahmed alias Babu son of Ejaz Ahmed convicted U/s. 265-H(ii) Cr.P.C for the offence punishable under section 376 PPC and is hereby sentenced to rigorous imprisonment for ten (10) years and he is also liable to pay fine of Rs. 200,000/- (Two Hundred Thousand Rupees). In case of default in payment of fine, the accused shall further undergo simple imprisonment for a period of six (6) months. The accused is also awarded benefit of section 382-B PPC. He is in custody since 17.12.2019. The accused is produced in custody by jail authority, he is remanded back to prison to serve out the sentence strictly in accordance with law. Let the copy of Judgment be supplied to the accused as required under the law.

ANNOUNCED IN OPEN COURT.

Given under my hand and seal of the Court on this 7th day of February, 2022.

sd/-7-2-2022
(IRSHAD HUSSAIN)
ADDL. SESSIONS JUDGE-XTH,
KARACHI WEST.

sd/-7-2-22
SERISHTEDAR
Xth Additional District & Sessions Judge
Karachi West

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