

**IN THE FEDERAL CONSTITUTIONAL COURT OF PAKISTAN**

(Appellate Jurisdiction)

**PRESENT:**

Justice Syed Hasan Azhar Rizvi

Justice Muhammad Karim Khan Agha

**C.P.L.A. No.201-K of 2025**

*(Against the judgment dated 03.12.2024 of the High Court of Sindh,  
Bench at Sukkur in Constitution Petition No.D-1754 of 2023)*

*Province of Sindh & others*

*... Petitioners*

*Versus*

*Gulab*

*... Respondent*

For the Petitioners:

Mr. Siraj Ali Khan, APG Sindh

Ms. Amna Usman, Asst. AG Sindh

Mr. Ali Sher Jakhrani, AIGP (Legal)

Mr. Panah Bhutto, SP

Mr. Zahoor Ahmed Soomro, SP

Mr. Ghulam Mujtaba, Inspector

Respondent:

In person

Date of Hearing:

18.06.2026

**ORDER**

**Syed Hasan Azhar Rizvi, J.-** Having heard the learned Additional Prosecutor General, Sindh as well as learned Assistant Advocate General, Sindh and gone through the material available on record with their able assistance, we find the impugned judgment to be well-reasoned and based on proper appreciation of facts and law. No material irregularity or illegality so also misreading and non-reading have been found therein. No case for interference is made out. The petition is dismissed and leave is refused.

Additionally, *per* the record, the alleged incident took place on 10.06.2014 and the same was reported to the police on 20.08.2014 with delay of two months and the complainant has failed to explain such delay. In order to prove its case, the prosecution produced as many as three witnesses, (PW1, PW2 and PW3) and they have not implicated the respondent in the incident but no application was made to declare them as hostile witnesses. The prosecution even failed to produce remaining witnesses, including the Investigating Officer of the case, drawing a presumption that such witnesses would not have supported its case. Such a stance of the prosecution before the trial court was very weak and verging on negligence on their part. No acquittal appeal was preferred by the State. The acquittal of the respondent was neither a result of compromise nor for any technical ground, rather purely on merit. Copy of this order be forwarded to the Prosecutor General, Sindh who shall ensure proper monitoring of all prosecutions under his office.

Judge

Judge

**Karachi:**

18.06.2026

(*Muhammad Ahmad*)