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IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

Mr. Justice Naeem Akhter Afghan
Mr. Justice Salahuddin Panhwar

Criminal Petition No.1547/2023 & 1552/2023

Sajjad Rashid (*in both cases*)

...Petitioner(s)

Versus

The State thr. A.G. Khyber Pakhtunkhwa and
others (*in both cases*)

...Respondent(s)

For the Petitioner(s)

: Sh. Mahmood Ahmad, AOR
Mr. Masood-ur-Rehman, ASC
(*in both cases*)

For the Respondent(s)

: Mr. Zahid Yousaf Qureshi, AOR

Date of Hearing

: 12.09.2025

ORDER

Learned counsel for the petitioner stated that despite appearance of the petitioners before the trial court on each and every date of hearing after travelling from Islamabad for 5 hours, the trial has not yet been concluded; so far out of 22 witnesses only 3 witnesses have been examined by the prosecution; the complainant is deliberately delaying the proceedings; both the petitioners have merely been nominated in the FIR due to previous enmity without any overt act; overt act of firing has been attributed to paternal cousin of the petitioner namely Ameen Ur Rasheed who is a proclaimed offender; both the petitioners are on job in Islamabad and they are facing hardship and inconvenience for attending the trial proceedings particularly when they have not been attributed any overt act in the alleged occurrence; all the courts below have dismissed the application of the petitioners to dispense with their personal attendance before the trial Court without appreciating the above aspects.

2. In view of the contentions so raised, office to issue notice to the complainant and same be sent to SHO PS Kalakot, Tehsil Matta, District Swat for service. Learned counsel for the petitioner is directed

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to place on record the relevant order sheets by filing CMA. Office to
relist the matter on 26.09.2025.

Sd/-J

Sd/-J

B-VI

Islamabad,

12.09.2025

M. Saeed/-

"Not Approved for reporting"