

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT:

MR. JUSTICE ATHAR MINALLAH
MR. JUSTICE MALIK SHAHZAD AHMAD KHAN
MR. JUSTICE SALAHUDDIN PANHWAR

CRIMINAL MISC. APPLICATION NO. 89-L OF 2025 IN
JAIL PETITION NO. 532 OF 2022 AND
CRIMINAL PETITION NO. 1430-L OF 2022

(Compromise)

(On appeal against the judgment dated 03.10.2022 of the Lahore High Court, Lahore passed in Murder Reference No. 389/2018 and Cr. Appeal No. 255136/2018)

Liaquat Ali and Shaukat Ali
Muhammad Ashraf

(In Cr.MA 89-L/25 in JP 532/22)

(In Cr.P. 1430-/2022)

... Applicants / Petitioners

Versus

The State etc

(In all cases)

... Respondents

For the Applicants /
Petitioners:

Syed Pervcz Zahoor, ASC
Mr. Munawar Iqbal, ASC

For the Complainant:

Nemo

For the State:

Mirza Abid Majeed, DPG Punjab

Date of Hearing:

21.08.2025

ORDER

ATHAR MINALLAH, J.-

CRIMINAL MISC. APPLICATION NO. 89-L OF 2025 IN/AND
JAIL PETITION NO. 532 OF 2022

Liaquat Ali and Shoukat Ali, applicants/petitioners were tried by the learned Additional Sessions Judge, Khushab pursuant to a case registered vide FIR No. 556 dated 24.10.2016 at Police Station City Jauharabad for the commission of the alleged offences under Sections 302/34/427 PPC. Upon conclusion of the trial, the learned Trial Court vide its judgment dated 04.12.2018 convicted the applicant/petitioner Liaquat under Section 302(b)

read with Section 34 PPC and sentenced him to death on two counts for the murder of Behzad Ashraf and Muhammad Daniyal whereas the petitioner Shaukat Ali was convicted under Section 302(b)/34 PPC for the murder of Behzad Ashraf and sentenced to death. He was further convicted under Section 302(b)/34 PPC and was sentenced to imprisonment for life for committing murder of Muhammad Daniyal. Benefit of Section 382-B Cr.P.C. was extended in his favour. The applicants/petitioners were directed to pay Rs.400,000/- each as compensation to the legal heirs of each deceased or in default thereof to further undergo simple imprisonment for six months each. In appeal, the learned High Court while maintaining the conviction of the petitioners under Section 302(b)/34 PPC, altered the sentence of Liaquat Ali petitioner on two counts and Shaukat Ali petitioner on one count from death to imprisonment for life. The amounts of compensation and the sentences in default thereof, as ordered by the Trial Court, were maintained. All the sentences of imprisonment were directed to run concurrently with benefit of Section 382-B Cr.P.C.

2. Petitioners have sought leave against the said judgment of the High Court. They have also sought permission to compound the offence through Criminal Misc. Application No. 89-L of 2025. A copy of the application along with allied documents was sent to learned District & Sessions Judge, Khushab with the direction to record the statements of all the legal heirs of the deceased and verify the genuineness of the contents of the compromise and submit his report.

3. The report has been filed by the Sessions Judge. It has been brought on the record that deceased Behzad Ashraf was

survived by six major and two minor legal heirs i.e. his daughters namely Raima Eman and Fatima Eman, while the deceased Daniyal Rafique was survived by seven major heirs and he was issueless. According to the report submitted by District & Sessions Judge, the major legal heirs have pardoned the applicants/petitioners with their free will. As far as the two minor legal heirs namely Raima Eman and Fatima Eman are concerned, the report states that the convict party has deposited a sum of Rs.17,56,000/- (*Rs.878,000 /- for each minor daughter*) in the name of both the minors in the shape of Defence Savings Certificates and the same have been handed over to Mst. Sumaira Behzad, real mother of the minor legal heirs. We have gone through the report as well as the statements of the legal heirs recorded by the learned Sessions Judge and found that the compromise is voluntary without any duress or coercion. The learned State counsel does not oppose allowing of the compromise application. However, we have noted that learned Sessions Judge has not passed any order to the effect that till the age of majority of the minors, the certificates purchased in their names shall not be encashed without appointment of the guardian of their property by the competent court of jurisdiction in accordance with the law, hence, it is directed that an order in this respect may also be passed by the concerned learned Sessions Judge and a report to this effect be placed before the Bench through Registrar by circulation. As a consequence, Criminal M.A. No. 89-L/2025 is allowed. Jail Petition No. 532/2022 is converted into appeal and allowed. The impugned judgment is set aside. The petitioners are acquitted of the charges on the basis of compromise. They are

directed to be released from the jail unless required to be detained in any other case.

CRIMINAL PETITION NO. 1430-L OF 2022

4. Since, the parties have compromised the matter and the offence has been compounded, therefore, this petition seeking enhancement of the sentences has become infructuous and the same is dismissed accordingly.

Islamabad, the
21st of August, 2025
Not Approved For Reporting
Khuram