

IN THE SUPREME COURT OF PAKISTAN
 (APPELLATE JURISDICTION)

JAIL PETITION NO. 705 OF 2019

Rashid Naeem.

Petitioner. (s)

VERSUS

The State.	Respondent.
Conviction and Sentence:-	U/S Section 302 (b), PPC. Imprisonment for life and with compensation of Rs.500,000/- to the legal heirs of the deceased or in default undergo further six (06) months S.I. With benefit of 382-B Cr.P.C.
	LAHORE HIGH COURT, LAHORE. (Sd/- Asjad Javaid Ghural, J) (Sd/- Muhammad Qasim Khan, J)
Counsel for the appellant:	
Counsel for the respondent:	Adll: Prosecutor General Punjab, Lahore.
Date of hearing:	

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Shakeel Ahmed, L.D.C.
Mr. Umar Farooq, L.D.C.
Manzoor Ellahi, Book Binder.
Mr. Abdul Waheed Assistant.

(Prepared by the Printing Branch)

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Present:

Mr. Aleem Talib Chatha, learned Public Prosecutor for State.
Accused Rashid Naeem and Qamar Adnan in custody.
Muhammad Iqbal Inspector/Investigating Officer with record.

Ch. Saeed Ahmad, Advocate filed fresh power of attorney on behalf of the accused. Learned Public Prosecutor has requested for adjournment to submit the report U/S 173 Cr.P.C. on the ground that the scrutiny of the report is yet to be completed. Per request, in the interest of justice, now to come on 02.04.2015. Prosecution is directed to submit the challan on the next date of hearing, positively.

Announced:
01.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD

Present:

Mr. Aleem Talib Chatha, learned Public Prosecutor for State.
Accused Rashid Naeem and Qamar Adnan in custody.

Ch. Saeed Ahmad Advocate on behalf of the accused.

Report U/S 173 of Cr.P.C. submitted. Be registered. Copies as envisaged U/S 265-C of Cr.P.C. delivered to the accused. For framing of the charge and prosecution evidence, to come up on 09.04.2015. PWs be summoned for the date fixed. The SHO is directed to produce all the PWs on the next date of hearing, positively. In case of failure, come and explain. The accused is directed to make sure the presence of his counsel on the date fixed.

Announced:
02.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD

Present:

Mr. Tariq Bashir, learned Deputy District Public Prosecutor for the State.
Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Ch. Saeed Ahmad and Mr. Afzaal Ahmad, Advocates.

Ch. Muhammad Atif Saeed advocate has filed his fresh Wakalatnama on behalf of the complainant. Mr. Afzaal Ahmad, Advocate has filed the fresh 'Wakalatnama' on behalf of Qamar Adnan accused and made a request for adjournment by stating that he and his senior associate Mian Jamil Ahmad, Advocate has engaged the counsel today. He has not prepared his brief and not able to examine the witnesses. The accused also made a request that the charge be framed against him in presence of his counsel. In view of the above and in the interest of justice, it is adjourned. Now to come up for framing of charge as well as recording prosecution evidence, on 14.04.2015.

Announced: 09.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Aleem Talib Chatha, Learned Public Prosecutor for the State.
Complainant in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.

Accused Raashid Naeem and Qamdar Adnan in custody with their learned defence counsel Ch. Saeed Ahmad Advocate.

Charge has been framed against the accused, in which the accused pleaded not guilty and claimed for trial. The prosecution is directed to produce their evidence to substantiate the guilt of the accused.

Statement of PW1 Muhammad Akhtar, PW2 Abdul Chaffar alias Abbas, PW3 Dr. Sadaqat Ali, PW4 Muhammad Ramzan, PW5 Allah Rakha 604-C, PW6 Muhammad Akram 722/HC, PW7 Muhammad Ilyas 3279-C, PW8 Muhammad Nawaz draftsman and PW9 Shaukat Ali 2116-C have been recorded. The examination in chief of PW10, Ghulam Sarwar S.I. and PW11 Muhammad Iqbal Inspector have been recorded. The cross examination on the above said PWs are reserved on the request of learned defence counsel on the ground that he wants to cross examine these PWs after the evidence of remaining witnesses. The learned Public prosecutor vide his separate statement of even date has given up PW Muhammad Attique as being won over and PWs Abdul Sattar and Muhammad Aktam as being unnecessary, on the application of the complainant.

Per request, in the interest of justice, now to come up on 15.04.2015 for recording cross examination on the above said PWs and the remaining prosecution evidence. The PW Shahzad Qamar is not in attendance despite service. Let his non-bailable warrants of arrest be issued with the direction to the SHO to arrest the PW and to produce him before the court tomorrow. All the remaining PWs be also summoned for the next date of hearing.

Announced:
14.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Aleem Talib Chatha, Learned Public Prosecutor for the State.
Complainant in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.

Accused Raashid Naeem and Qamdar Adnan in custody with their learned defence counsel Ch. Saeed Ahmad Advocate and Mian Jamil Ahmad Advocate.

Cross examination on PW10 Ghulam Sarwar S.I. and PW11 Muhammad Iqbal has been completed. Statements of PW12 Shahzad Qamar, PW13 Muhammad Saleem, PW14 Ehsan Ullah 478/HC and PW15 Karamat 3395-C have been recorded. For remaining prosecution evidence, now to come up on 18.04.2015. All the remaining PWs be summoned for the date fixed.

The State Vs: Raashid Naeem etc. (04/2014) PS Balochan.

The learned PP states that the case property and the reports have not been received from the Forensic Science Agency, Lahore. A letter be written to the Director Forensic Science Agency for submission of report and return of case property before the next date of hearing.

Announced:
15.04.2015

RAJA FERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Tariq Bashir, learned Deputy District Public Prosecutor for the State.
Complainant in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.

Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Ch. Saeed Ahmad and Mr. Afzaal Ahmad, Advocates.

The bailable warrants of PW Muhammad Usman SHO/Inspector has been returned unserved with the report that Muhammad Usman Inspector is busy in departmental examination in a police training centre Lahore. He be summoned again for the date fixed. The report has not been received from the Forensic Science Agency, Lahore yet. The parvi officer is directed to submit the repot of Forensic Science Agency, Lahore on the next date of hearing, positively. For remaining prosecution evidence, now to come up on 20.04.2015.

Announced:
18.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Tariq Bashir Sadla, learned Assistant Public Prosecutor for the State.

Ch. Muhammad Atif Saeed Advocate learned counsel for the complainant.

Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Ch. Saeed Ahmad and Mian Jamil Ahmad, Advocates.

Statement of PW.16 Muhammad Usman Inspector has been recorded. The Learned Public Prosecutor has filed an application U/S 540 of Cr.P.C. for re-summoning and re-examination of PW.17 Muhammad Iqbal Inspector/investigating officer, stating therein that the recovered Kalashnikovs were not exhibited in the evidence as the same were sent to the office of Forensic Science Agency, Lahore for analysis and now the Kalashnikovs have been received from there. The notice is given to the learned defence counsel, who have no objection for the acceptance of this application. Therefore, the application is

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allowed. PW.11 Muhammad Iqbal Inspector is recalled and re-examined and his statement is recorded.

Learned Public Prosecutor, vide his separate statement of even date, has given up PW Zia Ullah SI as being unnecessary, tendered the reports of Forensic Science Agency, Lahore as Exh.P.S and closed the prosecution evidence. For recording the statements of accused persons U/S 342 of Cr.P.C., to come up on 21.04.2015.

Announced:
20.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Tariq Bashir Sadia, Learned Public Prosecutor for the State.
Ch. Muhammad Atif Saeed, Advocate for the complainant.
Accused Raashid Naeem and Qamdar Adnan in custody with their learned defence counsel Rana Muhammad Hagan Advocate and Mian Jamil Ahmad Advocate.
Rana Muhammad Hagan advocate has made a request for adjournment on ground that his senior advocate Ch. Saeed Ahmad has gone to appear before the Hon'ble Lahore High Court, Lahore. Per request, in the interest of justice, it is adjourned. Now to come up on 24.04.2015 for statements of accused persons u/s 342 Cr.P.C.

Announced:
21.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Tariq Bashir, learned Deputy District Public Prosecutor for the State.
Complainant in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.
Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Ch. Saeed Ahmad and Mr. Jamil Ahmad Advocates.
Partial arguments on application U/S 23 of Anti-Terrorism Act, 1997 heard. For further arguments on application U/S 23 of Anti-Terrorism Act, 1997 and for recording of statements of accused persons U/S 342 of Cr.P.C., to come up on 28.04.2015.

Announced:
27.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.
Complainant in person.
Accused Raashid Naeem and Qamar Adnan in custody.
Learned Presiding Officer has gone to Federal Judicial Academy, Islamabad for one week training course and is on station leave till 02.05.2015 and the file is put up before me as Duty Judge. For further arguments on application U/S 23 of Anti-Terrorism Act, 1997 and for further proceedings, to come up on 05.05.2015.

Announced:
28.04.2015

(DUTY JUDGE)
ANTI-TERRORISM COURT,
FAISALABAD

Present: Mr. Aleem Talib Chatha, Learned Public Prosecutor for the State.
Complainant in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.
Accused Raashid Naeem and Qamar Adnan in custody with their learned defence counsel Ch. Saeed Ahmad Advocate
Arguments on application u/s 23 of Anti-Terrorism Act, 1997 heard.
Vide my detailed order of even date dictated in English, the application u/s 23 of Anti-Terrorism Act, 1997 is dismissed.

For recording statement of accused persons u/s 342 of Cr.P.C., now to come up on 07.05.2015.

Announced:
05.05.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.
Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Ch. Saeed Ahmad, Advocate.
Complainant Muhammad Akhtar in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.
The learned defence counsel has made a request for adjournment on the ground that the accused persons have to assail the order dated 05.05.2015, passed by this court on jurisdiction point, before the Hon'ble Lahore High Court, Lahore. Per request, in the interest of justice, now to come up on 11.05.2015 for recording statements of accused persons U/S 342 of Cr.P.C. and further proceedings.

Announced:
07.05.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD

Present: Mr. Aleem Talib Chatha, Learned Public Prosecutor for the State.
Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Mr. Rana Muhammad Hassan Advocate.
Complainant in person.

The learned defence counsel has made a request for adjournment on the ground that the accused persons have to assail the order dated 05.05.2015, passed by this court on jurisdiction point, before the Hon'ble Lahore High Court, Lahore. Per request, in the interest of justice, now to come up on 13.05.2015 for recording statements of accused persons u/s 342 of Cr.P.C. and further proceedings.

Announced:
11.05.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.

Complainant in person along-with his learned counsel
Ch. Muhammad Atif Saeed, Advocate.

Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Rana Muhammad Hassan Advocate.

Rana Muhammad Hassan Advocate, learned counsel for the accused has moved an application stating therein that his senior counsel Ch. Saeed Ahmad Advocate has gone to appear before the Hon'ble Lahore High Court, Lahore in four criminal cases. Per request, in the interest of justice, it is adjourned. Now to come up on 14.05.2015 for recording statements of accused persons u/s 342 of Cr.P.C. and further proceedings along-with challan case.

Announced:
13.05.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.

Complainant in person along-with his learned counsel
Ch. Muhammad Atif Saeed, Advocate.

Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Rana Muhammad Hassan Advocate.

Rana Muhammad Hassan Advocate, learned counsel for the accused has moved an application stating therein that the accused party has assailed the order of this court on jurisdiction point which was fixed for 13.05.2015 before the learned Divisional Bench of the Hon'ble Lahore High Court, Lahore and the same is admitted for notice. Moreover, the senior defence counsel Ch. Saeed Ahmad,

Advocate is not available. Per request and in the interest of justice, it is adjourned. Now to come up on 16.05.2015 for recording statements of accused persons U/S 342 of Cr.P.C. and further proceedings along-with challan case.

Announced:
14.05.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT
FAISALABAD

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.

Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Ch. Saeed Ahmad, Advocate.

Complainant Muhammad Akhtar in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.

The learned defence counsel has made a request for adjournment on the ground that the accused persons have assailed the order of this court regarding the jurisdiction before the Hon'ble Lahore High Court, Lahore, which is fixed for 21.05.2015. Per request and in the interest of justice, it is adjourned. Now to come up on 22.05.2015 for recording statements of accused persons U/S 342 of Cr.P.C. and further proceedings. The signatures of the learned counsel for both the parties are obtained at the bottom of this order sheet.

Announced:
16.05.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.

Complainant in person along-with his learned counsel Ch. Muhammad Atif Saeed, Advocate.

Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Rana Muhammad Hassan Advocate.

An application for adjournment has been submitted by Rana Muhammad Hassan Advocate, learned defence counsel stating therein that the writ petition No. 1401/2015 regarding the jurisdiction, is pending before the Hon'ble Lahore High Court, Lahore and is fixed for 04.06.2015. The proceedings of the instant case has not been stopped by the Hon'ble Lahore High Court, Lahore. Therefore, request of the learned defence counsel is hereby declined. Moreover, learned counsel appearing on behalf of the accused states that his senior associate Ch. Saeed Ahmad, Advocate is not available today. Now

to come up on 23.05.2015 for recording statements of accused persons u/s 342 of Cr.P.C. The accused is directed to make sure the presence of his learned counsel on the date fixed.

Announced:
22.05.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.
Respondent Muhammad Akhtar in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.
Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Ch. Saeed Ahmad, Advocate.

The learned defence counsel has stated that the writ petition regarding the jurisdiction is pending adjudication before the Hon'ble Lahore High Court, Lahore and is fixed for 04.06.2015 and he has to file the CM in the above said writ petition. Per request, now to come up on 28.05.2015 for recording statement of accused U/S 342 of Cr.P.C. Last opportunity is granted to the learned defence counsel. The signature of the learned defence counsel is obtained on the margin of this order sheet.

Announced:
23.05.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.
Complainant in person.
Accused Raashid Naeem and Qamar Adnan in custody.
Learned Presiding Officer has gone to Islamabad to Federal Judicial Academy for training course and is on station leave till 30.05.2015, so the file is put up before me as Duty Judge. Now to come up on 03.06.2014 for recording statements of accused persons U/S 342 of Cr.P.C.

Announced:
28.05.2015

(DUTY JUDGE)
ANTI-TERRORISM COURT,
FAISALABAD

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.

Complainant in person along-with his learned counsel
Ch. Muhammad Atif Saeed, Advocate.

Accused Raashid Naeem and Qamar Adnan in custody with their
learned counsel Ch. Saeed Ahmad, Advocate.

Learned defence counsel Ch. Saeed Ahmad, Advocate, has made a
request for adjournment on the ground that the writ petition No. 1401/2015
regarding the jurisdiction, is pending before the Hon'ble Lahore High Court,
Lahore and is fixed for 04.06.2015. Per request and in the interest of justice, it is
adjourned. Now to come up on 05.06.2015 for recording statements of accused
persons u/s 342 of Cr.P.C. Last opportunity is granted to the learned defence
counsel.

Announced:
03.06.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for State.
Complainant in person with his learned counsel Ch. Muhammad Atif
Saeed, Advocate.
Accused Raashid Naeem and Qamar Adnan in custody with their
learned counsel Rana Muhammad Hassan, Advocate.
Statements of accused persons U/S 342 of Cr.P.C. have been
recorded. The accused persons neither opted to produce defence evidence, nor
make their statements on oath U/S 340(2) of Cr.P.C. in disprof of the
charge/allegation. For final arguments, now to come up on 10.06.2015.

Announced:
05.06.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for the Stat.

Complainant in person.

Accused Raashid Naeem and Qamar Adnan in custody with their
learned counsel Ch. Saeed Ahmad and Mian Jamil Ahmad,
Advocates.

The learned counsel for the accused persons has made a request for
adjournment on the pretext that he could not prepare his brief to addres the
arguments. Per request and in the interest of justice, it is adjourned. Now to come
up on 11.06.2015 for final arguments.

Announced:
10.06.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COUR
FAISALABAD

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Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for the State.
Complainant in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.

Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Ch. Saeed Ahmad and Mian Jamil Ahmad, Advocates.

Syed Ijaz Hussain Shah, Advocate has filed his fresh 'Wakalatnama' on behalf of accused Raashid Naeem. The learned counsel for the accused persons have made a request for adjournment on the pretext that he could not prepare his brief to address the arguments. Per request and in the interest of justice, it is adjourned. Now to come up on 12.06.2015 for final arguments.

Announced:
11.06.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD

Present: Mr. Aleem Talib Chatha, learned Public Prosecutor for the State.
Complainant in person with his learned counsel Ch. Muhammad Atif Saeed, Advocate.

Accused Raashid Naeem and Qamar Adnan in custody with their learned counsel Ch. Saeed Ahmad and Mian Jamil Ahmad, Advocates.

Final arguments heard. Now to come up on 15.06.2015 for further arguments and judgment.

Announced:
12.06.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD

Present: Mr. Aleem Talib Chatha, Learned Public Prosecutor for the State.
Complainant in person.
Accused Raashid Naeem and Qamar Adnan in custody.
Vide my separate detailed judgment of even date, dictated in English, accused persons Raashid Naeem and Qamar Adnan as convicted as under:-

Accused Raashid Naeem

1. U/S 302(b) read with section 34 of PPC for the murder of Muhammad Arshad and is sentenced to death. He is also ordered to pay compensation in the sum of Rs.5 lac U/S 544-A of Cr.P.C., to

be apportioned by the legal heirs of the deceased, if realized, failing which to undergo SI for 6 months.

2. U/S 7 (a) of Anti-Terrorism Act, 1997 read with section 34 of PPC for the murder of Muhammad Arshad and is sentenced to death with fine in the sum of Rs.5 lac and in case of default, to undergo SI for 1 year.
3. U/S 386 read with section 34 of PPC and is sentenced to 10 years R.I. with fine in the sum of Rs.2 lac and in case of default, to undergo SI for 6 months.
4. U/S 21-L of Anti-Terrorism Act, 1997 and is sentenced to 5 years R.I. with fine in the sum of Rs.1 lac and in case of default to undergo SI for 4 months.

Accused Qamar Adnan

1. U/S 302(b) read with section 34 of PPC for the murder of Muhammad Arshad and is sentenced to life imprisonment. He is also ordered to pay compensation in the sum of Rs.5 lac U/S 544-A of Cr.P.C., to be apportioned by the legal heirs of the deceased, if realized, failing which to undergo SI for 6 months.
2. U/S 7 (a) of Anti-Terrorism Act, 1997 read with section 34 of PPC for the murder of Muhammad Arshad and is sentenced to life imprisonment with fine in the sum of Rs.5 lac and in case of default, to undergo SI for 1 year.
3. U/S 386 read with section 34 of PPC and is sentenced to 10 years R.I. with fine in the sum of Rs.2 lac and in case of default, to undergo SI for 6 months.
4. U/S 21-L of Anti-Terrorism Act, 1997 and is sentenced to 5 years R.I. with fine in the sum of Rs.1 lac and in case of default to undergo SI for 4 months.

The convict Raashid Naeem be hanged by the neck till he be dead. The sentence of death will be on two counts. The sentences for the convict Qamar Adnan are to run concurrently. The benefit of section 382-B of Cr.P.C. be allowed to him. Reference U/S 374 of Cr.P.C. for confirmation of the death sentences of convict Raashid Naeem be submitted to the Hon'ble Lahore High Court, Lahore,

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forthwith. Copy of the judgment be supplied to the convicts, gratis, so that they are able to file the appeal within 15 days. The convicts Raashid Naeem and Qamar Adnan are in custody. They be sent back to jail to serve out their respective sentences. All the case property except the Kalashnikovs, recovered from the convicts be kept intact, till the decision of the appeal. The Kalashnikovs along-with magazines and bullets, recovered from both the convicts, are also the case properties of cases U/S 13 of Arms Ordinance and are left to the judgments of learned Ilaqa Judicial Magistrate. File be consigned to the record room after necessary completion

Announced:
15.06.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
AISALABAD.

IN THE COURT OF RAJA PERVEZ AKHTAR (D&SJ)/
JUDGE, ANTI-TERRORISM COURT, FAISALABAD.

Charge in case :-

- The State Vs. 1. Raashid Naeem s/o Shamas-ud-Din, caste Gujjar, age 28 years, r/o Chak No.51/RB, Police Station Shahkot, District Nankana Sahib.
2. Qamar Adnan s/o Nazir Hussain, caste Arain, age 26 years, r/o Chak No.52/RB, Police Station Balochani, District Faisalabad

(Accused)

Case FIR No.04/2014, dated 02.01.2014, U/Ss 302/324/386/34 of PPC & 7 of Anti-Terrorism Act, 1997, Police Station Balochani, District Faisalabad.

Charge Sheet:

I, Raja Pervez Akhtar (District & Sessions Judge)/Judge, Anti-Terrorism Court, Faisalabad, do hereby charge you the above mentioned accused as under:-

Firstly: That, on 22.12.2013, at about 4.00 p.m. in the Chowk of Chak No.58/RB Ratta Joya, situated within the territorial jurisdiction of Police Station Balochani, you accused mentioned above, demanded Rs.2 lac as 'Bhatta' from the deceased Muhammad Arshad and when he refused to do the needful, you accused persons committed his 'Qatl-e-Amd', thus you have committed an offence which is punishable U/S 386 of PPC read with section 34 of PPC, within the cognizance of this court;

Secondly: That on 02.01.2014, at about 1.45 p.m., in the area of Chak No.58/RB Ratta Joya, situated within the territorial jurisdiction of Police Station Balochani, District Faisalabad, you accused Raashid Naeem and Qamar Adnan armed with Kalashnikovs along-with two unknown accused persons, in furtherance of your common intention,

AO
Raja Pervez Akhtar
(D&SJ) Judge Anti Terrorism Court,
Faisalabad

committed "Qatl-e-Amd" of Muhammad Arshad on his refusal to pay Rs.2 lac as 'Bhatta', thus you have committed an offence which is punishable U/S 302 of PPC read with section 34 of PPC, within the cognizance of this court;

Thirdly: That on the same date, time and place, you accused along-with unknown persons fired at Muhammad Attique to kill him, in furtherance of your common intention and had he been murdered, you all were guilty of his "Qatl-e-Amd", thus you have committed an offence which is punishable U/S 324 of PPC read with section 34 of PPC, within the cognizance of this court;

Fourthly: That by the above said act, you spread fear and harassment in the Chowk of the Chak, besides committing scheduled offence of Bhatta, thus rendering yourself liable punishment U/S 7 of Anti-Terrorism Act, 1997 read with section 34 of PPC, within the cognizance of this court.;

Fifthly: That you both the accused remained fugitive from law after commission of above said offences and were also declared P.Os., thereby you have committed an offence which is punishable U/S 21-L of Anti-Terrorism Act, 1997, within the cognizance of this court.

And, I hereby direct that you be tried by this court for the above said charge.

Dated: 14.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Certified that the charge has been framed, read-over and explained to the accused persons in their own language, to which they pleaded not guilty and claimed to be tried according to law. Let their pleas be recorded.

Dated: 14.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

-15-8-16-

Statement of accused Raashid Naeem s/o Shamas-ud-Din, caste Gujjar, age 28
r/o Chak No.51/RB, Police Station Shahkot, District Nankana Sahib,
without oath.

Q.No.1. Have you heard and understood the charge?

Ans. Yes.

Q.No.2 Do you plead guilty?

Ans. No.

Q.No.3 Will you produce any evidence in your defence?

Ans. Yes, if necessary.

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Statement of accused Qamar Adnan s/o Nazir Hussain, caste Arain, age 26 years.
r/o Chak No.52/RB, Police Station Balochani, District Faisalabad, without oath.

Q.No.1. Have you heard and understood the charge?

Ans. Yes.

Q.No.2 Do you plead guilty?

Ans. No.

Q.No.3 Will you produce any evidence in your defence?

Ans. Yes, if necessary.

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.3 Dr. Sadaqat Ali, Medical Officer, presently posted at Rural Health Centre, Khurrianwala.

On Oath:

On 03.01.2014, when I was posted as Medical Officer, Rural Health Centre, Khurrianwala, District Faisalabad. On the same day at 09:05 a.m. I conducted the post-mortem examination upon the dead-body of Muhammad Arshad s/o Ghulam Muhammad, caste Gujjar, aged 38 years, r/o Chak No. 58/R.B. District Faisalabad. The dead-body was brought by Allah Rakha 604-C, Police Station, Balochni, District Faisalabad which was identified by Muhammad Ramzan s/o Noor Muhammad and Muhammad Akram s/o Ameer Ali.

Information furnished by the police. one entry wound and one exist wound, on front and back of chest. My observations were as follows:-

EXTERNAL APPEARANCE:

A body of middle aged man was lying on post-mortem table of average height and built, average weight, rigor mortis developed.

EXAMINATION OF CLOTHES:

The dead body was wearing qameez Kareem colour, Shalwar Kareem colour, high-neck Sandli colour, Swettor multi colour blood stained.

I found the following injuries on the dead-body:-

INJURIES:

- 1.a) A firearm wound of entry 0.75 cm x 0.75 cm on front of lower and left side of chest. 10 cm from left nipple and 05 cm from midline.
- 1.b) A firearm wound of exit 1.5 cm x 1.5 cm, on back and left side of lower chest. 7 cm from midline and 13 cm from left scapula.

Raja Pervaiz Akhtar
(D&S) Judge Anti Terrorism Court,
Faisalabad

CRANIUM AND SPINAL CORD:

Head not opened.

THORAX:

Left Pleura, left lung, pericardium & heart were found damaged.

ABDOMEN:

Stomach contained small food. Bladder contained few "15 to 20 ML" of urine. All the viscera of abdomen were found healthy.

UPPER & LOWER LIMBS:

No injury found on upper and lower limbs.

OPINION:

According to my opinion, cause of death due to haemorrhagic shock. Due to damage to left lung and heart. All injuries are anti mortem. Injury No.1-a & b is sufficient to cause death in ordinary course of life.

Probable time that elapsed between injury and death was immediately and between death and post-mortem 19 to 20 hours.

After conducting the post-mortem, I delivered a well stitched dead body, last worn clothes, police papers and copy Post-Mortem Examination Report were handed over to Allah Rakha 604-C. Exh.P.G is the carbon copy of Post-Mortem Examination Report, Exh.P.G/1 is the pictorial diagrams, which were in my hand and bear my signatures and seal. Exh.P.G/2 injury statement and Exh.P.G/3 inquest report were also endorsed by me.

On the same day, I medically examined Muhammad Attique s/o Faqeer Hussain aged about 18 years r/o Chak No. 58/R.B. District Faisalabad. Injured was brought by Muhammad Rafique 3038/HC. I medically examined and found the following injury:-

INJURY NO.1.

A firearm wound of injury 1 cm X 1 cm into DNP on inner side of right thigh. X-ray was advised and injured was kept under observation for final opinion.

After medical examination, I issued carbon copy of medico legal certificate. Exh.P.H is the correct carbon copy of medico legal certificate and Raja Pervaiz Akhtar Exh.P.H/1 is the pictorial diagram which is in my handwriting and bears my seal (D&S) Judge Anti Terrorism Court, Faisalabad and signatures. I also endorsed the injury statement Exh.P.H/2.

PW.3

XXXX

By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

I remained on the duty round the clock at Rural Health Centre, Khurrianwala. There is a provision to conduct post mortem examination in night time in the Rural Health Centre, Khurrianwala. Volunteered said that post mortem examination was conducted at Tehsil Headquarters Hospital, Jaranwala, where the above said facilities are also available. It is correct that I started the post mortem examination on the dead body of the deceased soon after receiving the police papers. No police papers were handed over to me, prior to 9.00 a.m. on 03.01.2014.

R.O. & A. C.:
14.04.2015

06
RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

14.4.15
[Signature]



D.F. legal/5140 P.S Balochni

Sr. No. 0000138241

PUNJAB FORENSIC SCIENCE AGENCY

Home Department, Government of the Punjab

Thokar Niaz Baig, Lahore

Tel: +92 42 375 16149, Fax: +92 42 375 16148

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Firearms & Toolmarks Examination Report

Agency Case#	PFSA2015FTM1441 PFSA201420059	Attention to	City Police Officer, Faisalabad
Submitting Agency:	PS-Balochni	FIR#	4 (02-01-2014)
Complainant Name:	N/A	Victim's Name	N/A

Description of Evidence Submitted

The Parcel-1&2 were submitted on 03.04.2015 by Karamat Ali (3395/C) and the Parcel-3 was submitted on 06.01.2014 by Muhammad Ilyas (3279/C) along with the request of CPO, Faisalabad for Comparison of Cartridge Cases with Submitted Firearms.

Parcel # Description

Submitted in PFSA2015FTM1441

Parcel-1 One sealed cloth bag containing one 7.62x39 caliber rifle (Item R1) with two magazines having number HK7722, marked as FTM1441/15 along with its item number, duly signed (said to be recovered from Rashid Naeem).

Parcel-1

Judge of Session
Court, Faisalabad

2015/15

Parcel-2

Dy. No 7495

Dated 19-4-2015

CPO, Faisalabad

Parcel-3

One sealed cloth bag containing one 7.62x39 caliber rifle (Item R2) with magazine having number obliterated, marked as FTM1441/15 along with its item number, duly signed (said to be recovered from Qamar Adnan).

Submitted in PFSA201420059

One sealed cloth bag containing three 7.62x39 caliber cartridge cases (Items C1 to C3), each marked as 20059/14 along with its item number, duly signed

Conclusion:

- Because of difference in individual characteristics the items C1 to C3 cartridge cases could not have been fired in the items R1 or R2 rifles.

Disposition of Evidence:

The case property/ evidence may be received by the responsible official of your office on submitting authorization letter/docket within 15 days after the receipt of this report. Ammunition components should be maintained for possible future examinations.

Note: The results in this report relate only to the item(s) tested.

Analyzed by:

FTM-06-FS
Forensic Scientist

Date: 15/04/2015

Reviewed by:

FTM-04-FS
Forensic Scientist

Date: 15-04-2015

16 APR 2015
Date of Dispatch:

Analyst's signature

Reviewer's signature

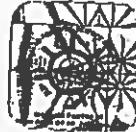


HOME DEPARTMENT.
GOVERNMENT OF THE PUNJAB

City Police Officer
Faisalabad
No. 4295
Date: 21/1/14

-21- Sr. No. 0000066867

PUNJAB FORENSIC SCIENCE AGENCY
Home Department, Government of the Punjab
Thokar Niaz Baig, Lahore
Tel: +92 42 375 16149, Fax: +92 42 375 16148



Forensic Serology Analysis Report

Agency Case#	PFSA201426046	Attention to	CPO, Faisalabad
Submitting Agency	Police Station Balouchni, Faisalabad	FIR #	04/14 (02-01-2014)
Complainant Name	Muhammad Akhtar	Victim's Name	Muhammed Arshad

Description of Evidence Submitted

The following sealed evidence item was submitted by Muhammad Ilyas (3229/C) on January 06, 2014 at Punjab Forensic Science Agency along with the request of City Police Officer, Faisalabad to examine and report as to whether the submitted material is stained with human blood or otherwise.

Item No Description

1. Soil taken into possession from the place of murder of Muhammad Arshad.

Forensic Serological Examination

Item # 1 was examined for the presence of human blood.

Result and Conclusion

Human blood was identified on item # 1.

EXHIBIT 1-S/

Judge Anti Terrorism
Courts Faisalabad
20-04-15

Disposition of Evidence

All the remaining evidence item(s) examined for this report have been stored at the appropriate temperature in the laboratory. Please recover evidence material within 15 days of issuance of this report, otherwise evidence material will be disposed of and laboratory will not entertain any claim.

Note: The result(s) in this report relate only to the item(s) tested.

Analyzed by:
Shoaib Balochni
Re: infir

DNA-11-FS
Forensic Scientist

Maryam Anwar

Date: 16-1-14

BNA-26-LT
Forensic Laboratory Technician

Reviewed by:
City Police Officer,
Faisalabad.

DNA-07-FS
Forensic Scientist

Date: 16-1-14

Date of Distribution: 17-1-14

Analyst's signature

Reviewer's signature

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PW. I

Muhammad Akhtar s/o Ghulam Muhammad, caste Gujjar, age 35 years, cultivator, r/o Chak No.58/RB, Ratta Joya, Tehsil Jaranwala, District Faisalabad.

On oath.

On 02.01.2014, at 1.45 p.m., I along-with Abdul Ghaffar alias Abbas and Abdul Sattar was present at Chowk near to the house of Abbas. We were waiting for Muhammad Arshad, who went to call Muhammad Attique in his house. We have to go to our field in connection with our work. Meanwhile, my brother Arshad reached in the chowk along-with Attique. Meanwhile, four persons riding on two motorcycles reached in the chowk. The persons who were driving the motorcycles were not known to us, whereas Raashid accused armed with Kalashnikov was sitting in pillion of one motorcycle whereas Muhammad Adnan alias Pehlwan armed with Kalashnikov was sitting in pillion of another motorcycle. Muhammad Raashid accused (present in the court) alighted from the motorcycle and intercepted my brother Muhammad Arshad and asked him that why you have not arranged extort money Rs.2 lac and why you have not paid it. Arshad beseeched the accused that he is a poor man and cannot arrange Rs.2 lac as a 'Bhatta'. Upon which, Muhammad Raashid accused made a fire with his Kalashnikov which landed on the left side of chest of my brother Muhammad Arshad. My brother Muhammad Arshad fell down on the ground. Qamar Adnan alias Adnan made a fire with his Kalashnikov, which landed on the left leg of Muhammad Attique. Muhammad Attique also fell on the ground. I and others did not come forward due to fear of the accused persons. The accused persons fled away from the venue of occurrence, after the occurrence. I, Abdul Ghaffar alias Abbas and Abdul Sattar had witnessed the occurrence.

The motive behind the occurrence is that the accused Muhammad Raashid and Qamar Adnan alias Adnan demanded 'Bhatta' from my brother Muhammad Arshad. On his refusal, they committed his murder. The accused persons are hardened criminals and desperate persons. They are drug paddlers and involved in nefarious criminal activities.

The police arrived at the place of occurrence. I submitted the application Exh.P.A before the Thandear there and then. On my application

(06)
Exh.P.A, the FIR Exh.P.A/1 was lodged. The investigating officer got prepared the complaint and sent the same for registration of the case to the Police Station.

On 11.06.2014, I along-with Muhammad Saleem alias Bau and Qamar Shehzad alias Guddu appeared before the police in the company of the respectable and notable persons of the vicinity and I got recorded my supplementary statement whereas the statements of Muhammad Saleem alias Bau and Qamar Shehzad alias Guddu were recorded U/S 161 of Cr.P.C. On 04.01.2014, I along-with Muhammad Saleem and Qamar Shehzad also got recorded our statements to the extent of demand of 'Bhatta' by the accused to my brother Muhammad Arshad.

On 29.03.2015, I and Abdul Ghaffar again joined the investigation. The accused Muhammad Raashid and Adnan were in the police lock up. Accused Muhammad Adnan (present in the court) during interrogation made a disclosure and led to the recovery of kalashnikov along-with magazine and 28 live bullets from the room of his house situated in Chak No.52/RB, which the investigating officer made into sealed parcel and took into possession, vide recovery memo Exh.P.B, attested by me and Abdul Ghaffar.

On the same day, i.e. accused Muhammad Raashid (present in the court) during interrogation made a disclosure and led to the recovery of kalashnikov along-with two magazines and 54 live bullets from the third room of the house of Adnan alias Pehlwan accused, situated in Chak No.52/RB, which the investigating officer made into sealed parcel and took into possession, vide recovery memo Exh.P.C, attested by me and Abdul Ghaffar.

On the same day, i.e. accused Muhammad Raashid (present in the court) during interrogation made a disclosure and led to the recovery of motorcycle P.I from the hall of the house of Adnan alias Pehlwan accused, situated in Chak No.52/RB, which the investigating officer took into possession,

Raja Pervez Akbar recovery memo Exh.P.D, attested by me and Abdul Ghaffar. I and Abdul (D&S) Judge Anti Terrorism Court, Faisalabad Ghaffar got recorded our statements U/S 161 of Cr.P.C.

PW.1

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XXXX

By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

I am cultivator, running dairy farm and kept buffaloes. The said dairy farm is situated within my land at Chak No.58/RB, which is situated at a distance of one acre from my village and two acres from my house. I used to go to my dairy farm at Fajar prayer time. After fetching of milk, I came to my house and remained in my house. Then, visit to my field. My dairy farm is situated in Killa No.22 of Square No.28. I have two cows and 15-20 buffaloes in my dairy farm. I am the owner of ten acres of land. It is self cultivated. It is incorrect to suggest that I do not run any dairy farm and have made a false statement.

PWs Abdul Ghaffar alias Abbas and Abdul Sattar are my 'Chacha Zad Bhai'. PW Attique is not my relative. Attique PW is not coming in the witness box due to the fear of the accused. It is incorrect to suggest that in fact, Muhammad Attique injured PW did not support my version as my assertion in respect of the fear of the accused is false and incorrect. Muhammad Akram PW is my 'Chacha' in relation whereas Ramzan PW is my 'Chacha Zad Bhai'.

I stated in my statement Exh.P.A that Muhammad Raashid accused (present in the court) intercepted my brother and asked him that why you have not arranged extort money Rs.2 lac. (Confronted with Exh.P.A, wherein the word 'Bhatta/extort money' is not mentioned). I stated in my statement Exh.P.A that my brother beseeched the accused that he is a poor man and cannot arrange Rs.2 lac as 'Bhatta'. (Confronted with Exh.P.A, wherein the word 'Bhatta' is not mentioned). I stated in my statement Exh.P.A that I, Abdul Ghaffar and Abdul Sattar had witnessed the occurrence. (Confronted with Exh.P.A, where it is not so recorded). I stated in my statement Exh.P.A that the accused are drug paddlers and involved in number of nefarious criminal activities. (Confronted with Exh.P.A, where it is

Raja Pervez Ahhtoo recorded).
(D&SI) Judge Anti Terrorism Court,
Faisalabad

My statement was recorded by this court on 17.06.2014 in the earlier round of trial U/S 512 of Cr.P.C. I stated in my statement that the accused demanded Rs.2 lac as Bhatta from my deceased brother. It is incorrect to suggest that I did not mention in the said statement that Muhammad Raashid accused

PW.1

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demanded Rs.2 lac as Bhatta. It is incorrect to suggest that I have improved my statement today, which is tutored to me by a legal person in order to bring the case in this court with malafide. It is incorrect to suggest that I have deliberately denied the above said facts and have made a false statement. It is incorrect to suggest that Muhammad Raashid accused did not demand any amount from my brother in the shape of Bhatta etc. It is incorrect to suggest that I, Muhammad Saleem and Qamar Shehzad PWs did not make any statement in respect of the demand of 'Bhatta' to the investigating officer, on 04.01.2014. (The learned Prosecutor assisted by learned counsel for the complainant after going through the record cover to cover informed the court that no such like statements are available in the judicial record as well as in the police record).

It is incorrect to suggest that on 11.06.2014, Nasrullah Khan Niazi Inspector was the SHO of Police Station Balochani. Volunteered said that Usman Warraich Inspector was the then SHO of Police Station Balochani. It is not in my knowledge that Nasrullah Khan Niazi Inspector, the then SHO conducted a raid in the houses of the accused and proceed against them U/Ss 212 and 216 of PPC. It is incorrect to suggest that the above said proceedings were initiated by the police at my instance. I stated in my statement Exh.P.A the reason of our presence at the place of occurrence. I had not stated the specific reason of going to field to the police. The unknown accused persons had not yet traced. I am educated person. I used to sign. The application Exh.P.A was written by one my co-villager. He is not a cited witness of the instant case. Exh.P.A was not drafted by Thanedar. It is incorrect to suggest that Exh.P.A was written by Thanedar. I have not mentioned the registration numbers, made, mark and colours of the motorcycles in my complaint Exh.P.A. It is incorrect to suggest that the story narrated in Exh.P.A is false and frivolous. It is incorrect to suggest that no such type of occurrence had ever uttered as alleged by me in Exh.P.A.

I have not submitted any application to the police before 11.06.2014.

Kazi Farhat Ali
(D&S) Judge And Commissioner Court
Faisalabad
Volunteered said that I have repeatedly asked the Thanedar to record my statement and statements of the witnesses in respect of motive. It is incorrect to suggest that my volunteered portion is false. I have not submitted any written statement of

Muhammad Saleem and Qamar Shehzad PWs prior to 11.06.2014. It is incorrect to suggest that both the accused persons did not claim 'Bhatta' as alleged by me in my supplementary statement. It is incorrect to suggest that my supplementary statement was an afterthought and was prepared due to malafide. It is incorrect to suggest that I have made evasive replies, intentionally.

It is incorrect to suggest that on 29.03.2015, the police of Police Station Balochani summoned me in the Police Station Khurrianwala. On the said day, I visited the Police Station Khurrianwala in connection with the progress of my case. The accused persons were in the custody of the police for the last 10 to 15 days. The accused persons were taken by the police from the judicial lock up or 14.03.2015 or 15.03.2015. Qamar Adnan and Raashid Naeem accused are not relatives. They belong to different clan. Volunteered said that they are close friends and having joint criminal activities. It is incorrect to suggest that my volunteered portion is false. I cannot produce any criminal history of the accused persons. It is incorrect to suggest that I have stated the above said false statement, in order to aggravate the situation.

The house of Qamar Adnan was surrounded with the inhabitant houses. The village is consist of number of houses. There are two Lumberdars of the said village. I do not know the number of the Chowkidars working in the said village. The Thanedar did not summon the Lumberdar, Chowkidar and notable person of the village in the recovery proceedings. I along-with the police spent 4-5 hours at the place of recovery. The co-villagers were moving hither and thither near to the place of recovery. The villagers asked the police of their purpose to visit the village. It was talk of the town that police arrived to effect recoveries from the house of Qamar Adnan accused. The asked the villagers to become the witness, but no one come forward to become a witness against the accused. I

Raja Pervaiz Akhtar
D&SI, Judge Anti Terrorism Court,
Faisalabad

cannot say their names, uncertainty. The outer door of the house is open on the western side. The door of the room is open on the western side. It is incorrect to suggest that all the recovery proceedings are fake and fabricated. It is incorrect to suggest that nothing incriminating was recovered at the instance of the accused persons. The alleged recovered motorcycle was owned by Raashid accused. The

PW.1

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police might have taken the ownership of the said motorcycle from the accused. It is incorrect to suggest that the motorcycle allegedly taken into possession by the police is not owned by any of the accused persons (present in the court). It is incorrect to suggest that I have deposed falsely.

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.2

Abdul Ghaffar alias Abbas s/o Lal Din, caste Gujar, age 46 years, cultivator, r/o Chak No:58/RB, Ratta Joya, Tehsil Jaranwala, District Faisalabad.

On oath.

On 02.01.2014, at 1.45 p.m., I along-with Abdul Sattar and Akhtar was present at Chowk near to my house. We were waiting for Muhammad Arshad, who and Muhammad Attique. We have to go to our field in connection with our work. Meanwhile, Attique and Arshad reached in the chowk. In the meantime, four persons riding on two motorcycles reached there. Muhammad Raashid accused (present in the court) armed with Kalashnikov was sitting behind one unknown motorcyclist and Muhammad Adnan Qamar armed with Kalashnikov was sitting as pillion of another motorcycle. Muhammad Raashid accused (present in the court) alighted from the motorcycle and intercepted Muhammad Arshad and asked him that why you have not arranged Rs.2 lac and why you have not paid it. Arshad asked him that he is a poor man and cannot arrange Rs.2 lac. Upon which, Muhammad Raashid accused made a fire with his Kalashnikov which landed on the left side of chest of Muhammad Arshad. Muhammad Arshad fell down on the ground. Qamar Adnan alias Adnan made a fire with his Kalashnikov, which landed on the left leg of Muhammad Attique. Muhammad Attique also fell on the ground. The accused persons fled away from the venue of occurrence, after the occurrence. Arshad deceased succumbed to the injury at the spot. We lifted Attique in a precarious condition and shifted him in hospital in injured condition by arranging a 'Dala.'

The motive behind the occurrence is that the accused Muhammad Raashid and Qamar Adnan alias Adnan demanded 'Bhatta' from Muhammad Arshad. On his refusal, they committed his murder. The accused persons are notorious Bhatta Khor and involved in drug business. The accused persons murdered Muhammad Arshad on his refusal to pay Bhatta and to create a fear in the suburb.

DO
Raja Pervaiz Akhtar
D&SJ Judge Anti Terrorism Court,
Faisalabad

The police arrived at the place of occurrence, on our information. The police secured blood stained earth from the place of occurrence and made into a sealed parcel and took into possession, vide recovery memo Exh.P.E, attested by

PW.2

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me and Abdul Sattar PW. The police collected three crime empties from the place of occurrence and made it into a sealed parcel and took into possession, vide recovery memo Exh.P.F, attested by me and Abdul Sattar. I got recorded my statement U/S 161 of Cr.P.C.

On 29.03.2015, I along-with Muhammad Akhtar PW again joined the investigation at Police Station Khurrianwala. The accused Muhammad Raashid and Adnan were in the police lock up. Accused Muhammad Adnan (present in the court) during interrogation made a disclosure and led to the recovery of kalashnikov along-with magazine and 28 live bullets from the room of his house situated in Chak No.52/RB, which the investigating officer made into sealed parcel and took into possession, vide recovery memo Exh.P.B, attested by me and Akhtar PW.

On the same day, i.e. accused Muhammad Raashid (present in the court) during interrogation made a disclosure and led to the recovery of kalashnikov along-with two magazines and 54 live bullets from the third room of the house of Adnan alias Pehlwan accused, situated in Chak No.52/RB, which the investigating officer made into sealed parcel and took into possession, vide recovery memo Exh.P.C, attested by me and Akhtar PW.

On the same day, i.e. accused Muhammad Raashid (present in the court) during interrogation made a disclosure and led to the recovery of motorcycle P.I from the hall of the house of Adnan alias Pehlwan accused, situated in Chak No.52/RB, which the investigating officer took into possession, vide recovery memo Exh.P.D, attested by me and Akhtar. I and Akhtar PW got recorded our statements U/S 161 of Cr.P.C.

XXXX

By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamat Adnan.

Raja Pervez Akhtar
(D&SS) Judge Anti Terrorism Court,
Faisalabad

On 02.01.2014 my statement was recorded by the police U/S 161 of

Cr.P.C. at the spot. I got recorded in my statement before the police that the accused persons are notorious Bhatta Khor and involved in drug business. (Confronted with his statement Exh.D.A where it is not so recorded). It is incorrect to suggest that I have improved my statement as tutored to me with malafide.

PW.2- 30 -

The accused persons demanded Bhatta many times in my presence from the deceased. Neither I nor the deceased reported the matter to the police. Volunteered said that we did not report the matter due to fear of the accused. It is incorrect to suggest that my volunteered portion is false. I am not involved in any criminal case. Only one criminal case was registered against me, in which I was discharged. On 21.11.2009, a case vide FIR No.822, U/S 489-F of PPC was registered against me at Police Station Khurrianwala. The said case was discharged being a false. It is incorrect to suggest that the said case was not discharged. It is correct that I am involved in another case FIR No.461/1999, U/Ss 353/186/506 PPC, at Police Station Civil Lines, Faisalabad. The said case was also discharged and I was acquitted by the court of Magistrate. I cannot tell the name of the Presiding Officer of the court. It is incorrect to suggest that number of criminal cases have been registered against me and I am deliberately denying the above said facts.

The photographs shown to me belonged to my brother and some of mine. These photographs were maneuvered one. It is incorrect to suggest that the above said photographs were not maneuvered one. The above said photographs are captured in a Mehndi ceremony, held in Chak No.51/RB Chakarian. Raashid Naeem accused is the resident of the said Chak No.51/RB.

The deceased is my cousin in relation. It is incorrect to suggest that in this respect, I also made false statement. It is incorrect to suggest that he is not my real cousin. It is incorrect to suggest that I am notorious criminal and have made a false statement due to my relations with the deceased. It is incorrect to suggest that I did not see the occurrence. I did not state in my statement that the accused had beaten Muhammad Arshad. (Confronted with his statement Exh.D.A, where it is so recorded in portion 'A to A'). It is incorrect to suggest that I have made a false statement. It is incorrect to suggest that nothing incriminating was recovered in my presence and all the recovery proceedings in this respect are false and fabricated.

ok

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.4

Muhammad Ramzan s/o Noor Muhammad caste Gujjar, age 30 years, milkman, r/o Chak No.58/RB, Ratta Joya, Tehsil Jaranwala, District Faisalabad.

On oath.

On 03.01.2014, I identified the dead body of Muhammad Arshad deceased in the mortuary of Tehsil Headquarters Hospital, Jaranwala, prior to the autopsy.

XXXX

By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

Nil. Opportunity given.

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

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PW.5

Allah Rakha 604/C, presently posted at Police Station Khurrianwala, District Faisalabad.

On oath.

On 02.01.2014, I was posted as constable at Police Station Balochani, District Faisalabad. On the same day, the investigating officer handed over to me the dead body of Muhammad Arshad deceased for escorted the same to Tehsil Headquarters Hospital Jaranwala. On 03.01.2014, after post mortem examination of the dead body of the deceased, the doctor handed over to me the last worn clothes of deceased i.e. qameez P.2, shalwar P.3, highneck P.4 and sweater P.5 (all blood stained), which I produced before the investigating officer, who took the same into possession, vide memo Exh.P.J, attested by me and signed by the investigating officer.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

Nil. Opportunity given.

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.6

Muhammad Akram 722/HC, presently posted as Moharrar at Police Station Chak Jhumra, District Faisalabad.

On oath.

On 02.01.2014, I was posted as Moharrar Head Constable at Police Station Balochani, District Faisalabad. On the same day, I received a complaint Exh.P.A sent by Ghulam Sarwar SI for recording the formal FIR. On the basis of complaint Exh.P.A, I chalked out formal FIR Exh.P.A without any addition or omission of my part. FIR Exh.P.A/1 is written and signed by me.

On the same day, the investigating officer handed over to me one sealed parcel said to contain blood stained earth, one sealed parcel said to contain crime empties for keeping its in safe custody and its onward transmission to the office of Forensic Science Agency, Lahore. On 05.01.2014, I handed over the above said two parcels to Muhammad Ilyas 3279/C for its onward transmission to the office of Forensic Science Agency, Lahore, intact.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

It is incorrect to suggest that the above said parcels were tampered with.

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

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PW.7 Muhammad Ilyas 3279/C, presently posted at Police Lines, Faisalabad.

On oath.

On 05.01.2014, I was posted as constable at Police Station Balochani, District Faisalabad. On the same day, the Moharrar handed over to me two sealed parcel said to contain blood stained earth and crime empties for its onward transmission to the office of Forensic Science Agency, Lahore. On 06.01.2014, I deposited the above said two parcels in the office of Forensic Science Agency, Lahore, intact.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

Nil. Opportunity given.

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.8

Muhammad Nawaz s/o Abdul Wahab, caste Joya, age 60 years, Draftsman, f/o House No.143/P, Street No.3, Mohallah Hassan Pura, Chak No.214/RB Dhudhiwala, Faisalabad.

On oath.

On 04.01.2014, I along-with the investigating officer, complainant and PWs visited the place of occurrence. I took rough notes of the place of occurrence on the direction of the investigating officer and pointation of the complainant and the witnesses. I prepared the scaled site plans 1 inch = 20 feet in duplicate form and produced the same to the investigating officer on 06.01.2014. My scaled site plans are Exh.P.K and Exh.P.K/1. All the drawing and notes in black ink are in my hand writing and bear my signature. I got recorded my statement U/S 161 of Cr.P.C.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.
I have given inter-se distance between the points, while measuring myself. There is no obstacle in between points Nos. 1, 3 and 5.

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.9

Shoukat Ali 2116/C, presently posted at Police Station City Jaranwala, District Faisalabad..

On oath.

On 06.03.2014, I was posted as constable at Police Station Balochni, Tehsil Jaranwala, District Faisalabad. On the same day, non-bailable warrants of arrest against accused Muhammad Raashid and Muhammad Adnan were entrusted to me by the investigating officer for its execution. I visited the respective address of the accused, but could not find them on their respective address. On 22.03.2014, I returned the non-bailable warrants of arrest of the accused Muhammad Raashid Exh.P.L and Muhammad Adnan Exh.P.M unexecuted with the reports Exh.P.L/1 and Exh.P.M/1, respectively.

On 12.04.2014, the proclamations warrants against accused Muhammad Raashid Exh.P.N and Muhammad Adnan Exh.P.O were entrusted to me for its execution. After adopting all the codal formalities, I returned one part of proclamation of Muhammad Raashid accused Exh.P.N and one part of Muhammad Adnan accused Exh.P.O to the investigating officer on 15.04.2014 with the report Exh.P.N/1 and Exh.P.O/1, respectively.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

The reports Exh.P.L/1, Exh.P.M/1 were written by me while sitting at Chak No.52/RB. I did not associate any respectable or notable person of the vicinity nor got endorsed the same from the neighbours of the accused. It is incorrect to suggest that I completed the whole proceedings of execution of non-bailable warrants of arrest and proclamations while sitting in the Police Station, in connivance with the complainant party and investigating officer

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.10 Ghulam Sarwar SI, presently posted as Incharge Investigation at Police Station Civil Lines, Faisalabad..

On oath.

On 02.01.2014, I was posted as Incharge Investigation at Police Station Balochni, Tehsil Jarawala, District Faisalabad. On the same day, I along with Allah Rakha 604/C, Muhammad Aslam 4/52/C and Naseer Ahmad 2119/HC reached the place of occurrence, after receiving the information of the occurrence. Muhammad Akthar complainant produced written application Exh.P.A before me for registration of the FIR. I endorsed the same and sent to the Police Station through Naseer Ahmad 2119/HC for registration of formal FIR. I took up the investigation and inspected the dead body of Muhammad Arshad, prepared his injury statement Exh.P.G/2 and inquest report Exh.P.G/3. I entrusted the dead body to Allah Rakha 604/C, for escorting the same to the mortuary for autopsy. Thereafter, I inspected the place of occurrence and during spot inspection, I secured blood stained earth from the place of murder of Muhammad Arshad and made into a sealed parcel, vide memo Exh.P.E, attested by the PWs. I also secured 3 crime empties of Kalashnikov from the place of occurrence, made it into a sealed parcel and took into possession vide memo Exh.P.F, attested by the PWs. I prepared the visual site plan of the place of occurrence Exh.P.P. All the drawing and notes on Exh.P.P are in my handwriting and bear my signature. I recorded the statements of the PWs U/S 161 of Cr.P.C. I searched for the accused persons, who could not be arrested.

On 03.01.2014, Allah Rakha constable, after post mortem examination produced before me the carbon copy of the post mortem examination report, police papers and last worn clothes of deceased Muhammad Arshad consist of qameez P.2, shalwar P.3, highneck P.4 and sweater P.5 (all blood stained), which I took into possession vide memo Exh.P.J, attested by Allah Rakha constable. I recorded the statements of Allah Rakha constable, Muhammad

Ramzan and Muhammad Akram U/S 161 of Cr.P.C.

Raja Pervez Akhtar
(D&SJ) Judge Anti Terrorism Court,
Faisalabad

On 04.01.2014, Muhammad Nawaz Draftsman visited the place of occurrence and took the rough notes on my direction and pointation of the complainant and PWs. On 06.01.2014, Muhammad Nawaz Draftsman produced

PW.10

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before me the duplicate copies of scaled site plans Exh.P.K and Exh.P.K/1. I appended my notes on Exh.P.K and Exh.P.K/1 in red ink. I recorded the statement of Muhammad Nawaz Draftsman U/S 161 of Cr.P.C. On 07.01.2014. I recorded the statements of Muhammad Akram 722/HC and Muhammad Ilyas 3279/C regarding the transmission of sealed parcels to Punjab Forensic Science Agency, Lahore. On 08.01.2014, I recorded the statement of Muhammad Attique injured witness U/S 161 of Cr.P.C.

On 06.03.2014, I moved application Exh.P.Q for issuance of non-bailable warrants of arrest against accused Muhammad Raashid and Muhammad Adnan. I entrusted the non-bailable warrants of arrest to Shoukat Ali constable. On 22.03.2014, Shoukat Ali constable returned the unexecuted non-bailable warrants of arrest along-with his reports to me. The accused persons could not be arrested. On 12.04.2014, I moved application Exh.P.R for issuance of proclamations against the above mentioned accused and entrusted the same to Shoukat Ali constable for execution. On 15.04.2014, Shoukat Ali returned the copies of proclamations along-with his reports. I recorded his statement U/S 161 of Cr.P.C. On 16.04.2014, I got prepared challan U/S 512 of Cr.P.C. against the accused Muhammad Raashid and Muhammad Adnan.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.
(Reserved).

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

15.04.2015

PW.10

Ghulam Sarwar SI.

Recalled and reaffirmed on oath/

XXXX

By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.
I received the information of the occurrence through Moharrar in the Police Station. It was 2.00 p.m. I reached at the place of occurrence at about 2.20

PW.10

2.25 p.m. and remained there till sunset time. 10 or 12 persons from the complainant side joined me at the place of occurrence. Muhammad Saleem and Shehzad Qamar PWs did not join me on the eventful day, at the place of occurrence. The investigation of this case remained with me till 16.04.2014. Muhammad Saleem and Shehzad Qamar PWs did not appear me in investigation till 06.04.2014. Volunteered said that no one from the area was dare to appear against the accused due to their fear. It is incorrect to suggest that my volunteered portion is false. Accused persons were not arrested by me despite my hectic efforts. According to the Shanakhat Certificate, Raashid accused involved in one murder case of 2005 and two cases of Arms Ordinance, prior to this occurrence. It is correct that accused is acquitted in the above said three cases. According to the Shanakhat Certification, Adnan accused is involved in only one case of 13/20/65 A.O. of 18.08.2012. Volunteered said that there is one hurt case against Raashid and Qamar Adnan in which compromise was effected. It is incorrect to suggest that no hurt case was registered against the accused persons and I have made a false statement. I did not join Muhammad Attique injured in my investigation from 02.01.2014 to 07.01.2014 due to his non-availability and ultimately I recorded his statement at his home, on 08.01.2014. Volunteered said that the injured as well as his family members were not willing to record their statements against the accused Raashid and Qamar Adnan due to their fear. It is incorrect to suggest that my volunteered portion is false. I did not mention this fact in my police dairy as well as in his statement recorded U/S 161 of Cr.P.C. Attique injured witness supported the prosecution case in his statement. It is incorrect to suggest that I in league with the complainant party in order to aggravate the situation made a false statement.

R.O. & A.C.:
15.04.2015

RAJA PERVEZ AKHTAR.
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.11

Muhammad Iqbal Inspector, presently posted as Incharge Investigation at Police Station Satiana, District Faisalabad..

On oath.

On 28.05.2014, I was posted as Inspector/Incharge Investigation at Police Station Khurrianwala. On the same day, the investigation of this case was entrusted to me by the order of SSP (Investigation), Faisalabad. I reached at the place of occurrence, where Muhammad Akhtar complainant, Abdul Ghaffar and Abdul Sattar PWs appeared before me and joined them in the investigation. I also inspected the place of occurrence and the facts already mentioned in visual site plan prepared by the previous investigating officer was found correct. I raided the respective addresses of eth accused Muhammad Raashid and Muhammad Adnan to affect their arrest, but the accused persons are not available. Thereafter, I reached at Police Station Balochani and procured the previous history of accused persons from Moharrar of Police Station Balochni. I incorporated in my case dairy. On 05.06.2014, I was transferred and handed over the police file to the Moharrar.

On 13.03.2015, I was posted as Incharge Investigation of Police Station Satiana. On the same day, the investigation of this case was again entrusted to me by the order of SSP (Investigation), Faisalabad. Accused Raashid Naeem and Qamar Adnan were already arrested in case FIR No.99/2015, dated 15.02.2015, U/Ss 392/411 PPC, Police Station Khurrianwala and were produced in the court of learned Area Magistrate, Jaranwala. I joined the accused persons in the investigation of this case with the permission of learned Judicial Magistrate. On 16.03.2015, I made the formal arrest of accused persons Raashid Naeem and Qamar Adnan in this case.

On 29.03.2015, accused Muhammad Raashid and Adnan were in the police lock up. Accused Muhammad Adnan (present in the court) during interrogation made a disclosure and led to the recovery of kalashnikov along-with Raja Pervaiz Akhtar & SI Judge Anti Terrorism Frigazine and 28 live bullets from the room of his house situated in Chak No.52/RB, which I made into sealed parcel and took into possession, vide recovery memo Exh.P.B, attested by the PWs. I prepared the corresponding visual

PW.11

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site plan of the place of recovery Exh.P.B/1. All the drawing and notes on
Exh.P.B/1 are in my hand writing and bear my signature.

On the same day, i.e. accused Muhammad Raashid (present in the court) during interrogation made a disclosure and led to the recovery of kalashnikov along-with two magazines and 54 live bullets from the third room of the house of Adnan alias Pehlwan accused, situated in Chak No.52/RB, which I made into sealed parcel and took into possession, vide recovery memo Exh.P.C, attested by the PWs.

On the same day, i.e. accused Muhammad Raashid (present in the court) during interrogation made a disclosure and led to the recovery of motorcycle P.1 from the hall of the house of Adnan alias Pehlwan accused, situated in Chak No.52/RB, which I took into possession, vide recovery memo Exh.P.D, attested by the PWs. I prepared the corresponding visual site plan of the place of recoveries of Kalashnikov and motorcycle Exh.P.D/1. All the drawing and notes on Exh.P.D/1 are in my hand writing and bear my signature. I recorded the statements U/S 161 of Cr.P.C. of PWs. On 30.03.2015, I got sent the accused persons Raashid Naeem and Qamar Adnan to the judicial lock up. On 31.03.2015, I got prepared challan against the accused persons. On 03.04.2015, I recorded the statements U/S 161 of Cr.P.C. of PWs Ihsan Ullah 4781/HC and Karamat Ali 3395/C.

XXXX

By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.
(Reserved).

R.O. & A.C.:
14.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

15.04.2015

PW.11

Muhammad Iqbal Inspector.

Recalled and reaffirmed on oath.

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By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

It is incorrect to suggest that in case FIR No.99/2015 of Police Station Khurrianwala, the accused persons were discharged due to non-picking up them in the identification parade. It is correct that the investigation of this case was not conducted by the Joint Investigation Team. It is incorrect to suggest that my investigation is illegal and null and void. It is incorrect to suggest that I have no authority to investigate the case in the Anti-Terrorism Act, 1997. It is incorrect to suggest that partly I have made a false statement.

The outer door of the house of Qamar Adnan was not chained from inside. I do not know that inmates of Qamar Adnan are living in the said house or not. Volunteered said that rooms from where the recoveries effected were lying vacant. I spent 4-4½ hours at the place of recovery. One or two persons from the surrounding came near to us in the recovery proceedings. I summoned the Lumberdar and notable persons of the village, but they were not available. I did not mention this fact in my case dairy. It is incorrect to suggest that I am telling a lie regarding summoning of notable, respectable persons of the vicinity. I asked the co-villagers to become a witness of recovery, but they were not willing to become a witness against the accused. I mentioned this fact in my case dairy. I, however, not mentioned their names in my case dairy. The door of the room from where the recovery was effected open towards east. It was not open towards the west. I did not collect any proof regarding the ownership of the motorcycle. It is incorrect to suggest that all the recovery proceedings are fake and fabricated.

R.O. & A.C.:
15.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

ab

20.04.2015

PW.11 Muhammad Iqbal Inspector.

Recalled and reaffirmed on oath.

On 29.03.2015, I got recovered one kalashnikov P.6 along-with magazine P.7 and 28 live bullets of Kalashnikov P.8/1-28 from Adnan accused (present in the court) and dispatched its to the office of Forensic Science Agency, Lahore through Ehsan Ullah 4781/HC vide dated 29.03.2015 by Karamat Ali 3395/C on 03.04.2015 which has been received after analysis from the office of Forensic Science Agency, Lahore on 17.04.2015.

On the same day, i.e. on 29.03.2015, I got recovered kalashnikov P.9 along-with two magazines P.10/1-2 and 54 live bullets P.11/1-54 from Muhammad Raashid accused (present in the court) and dispatched its to the office of Forensic Science Agency, Lahore through Ehsan Ullah 4781/HC vide dated 29.03.2015 by Karamat Ali 3395/C on 03.04.2015 which has been received after analysis from the office of Forensic Science Agency, Lahore on 17.04.2015.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

The recovered live bullets were not sent to the office of the Forensic Science Agency, Lahore. It is correct that on 14.04.2015, the recovered Kalashnikovs, magazines and live bullets were not present in the court at the time of recording of my statement in the court. It is incorrect to suggest that the above said bullets were planted and fabricated in order to strengthen the prosecution case. It is incorrect to suggest that no live bullets were recovered from the accused persons. It is incorrect to suggest that the Kalashnikovs were also maneuvered by me in connivance with the complainant in order to strengthen the prosecution case.

R.O. & A.C.:
20.04.2015

RAJA PERVEZ AKHTAR,
^{AO}
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

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Statement of Mr. Aleem Talib Chatha, learned Public Prosecutor for State.

Without oath.

I give up PW Muhammad Attique as being won over and PWs

Abdul Sattar and Muhammad Akram as being unnecessary.

R.O. & A.C.:
14.04.2015

ap
RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.12

Shehzad Qamar s/o Ch. Rehmat Ali, caste Arain, age 43 years, private job, r/o Chak No.58/RB Ratta Joya, Tehsil Jaranwala, District Faisalabad..

On oath.

On 22.12.2013, at about 4.00 p.m., I was coming to my house from Shahkot and going to my home on my personal car. When I reached near to Primary School, situated in Chowk of our Chak No.58/RB. I saw accused persons Raashid, Adnan (present in the court) and deceased Arshad were standing there, I alighted from my car and went towards the accused and the deceased. I heard that the accused Raashid and Adnan were demanding Rs.2 lac as 'Bhatta' from Arshad (deceased). The deceased beseeched the accused that he is a poor man and not able to pay Rs.2 lac as Bhatta. The accused persons went away while extending the threat of dire consequences to the deceased Arshad. I narrated this fact to Akhtar brother of Arshad deceased at evening time. This incident i.e. demand of Bhatta was also seen by Saleem s/o Sharif. I got recorded my statement U/S 161 of Cr.P.C.

XXXX

By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

My statement was recorded by the police in the Police Station, after two days of the occurrence. It was 5th of January. My statement was recorded by Ghulam Sarwar SI. I do not know whether my statement was written by the investigating officer or not. (The learned defence counsel made a request to the court to provide a copy of statement of the witness recorded on 5th of January by Ghulam Sarwar SI. The Learned Public Prosecutor after going through the record cover to cover informs the court that no such statement is available in the police file as well as in the judicial file). It is correct that my statement was recorded by the police after six months and nine days of the occurrence i.e. 11.06.2014. It was written by Usman Warraich Inspector/investigating officer. I stated in my statement dated 11.06.2014 that I appeared before the police many times and stated before the, the fact of demand of Bhatta by the accused from the deceased.

Raja Pervez Akhtar
D&SJ Judge Anti Terrorism Court
Faisalabad incorrect to suggest that I was tutored by a legal person to improve my statement

PW.12

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in order to blackmail the accused persons. I did not state in my statement Exh.D.B that on 22.12.2013 I was going to my home from Shahkot on my car. I also d in my statement Exh.D.B that I alighted from the car and went near to them. (Confronted with Exh.D.B where it is not so recorded). I stated in my statement that Arshad beseeched the accused and asked them that he is a poor man and not able to pay Rs.2 lac as Bhatta. (Confronted with Exh.D.B, where word 'Bhatta' is not mentioned). I stated in my statement Exh.D.B that accused went away while extending the threat of dire consequences to the deceased. (Confronted with Exh.D.B, where it is not so recorded). I stated in my statement Exh.D.B that I narrated the whole incident of demand of Bhatta of the accused from the deceased to complainant Akhtar, brother of Arshad deceased at the evening time of 22.12.2013. (Confronted with Exh.D.B, where it is not so recorded). It is incorrect to suggest that I did not inform the complainant in respect of the alleged demand of Bhatta on 22.12.2013 and have made a false statement.

I did not submit any written statement to the police with regard to my statement recorded on 11.06.2014. There are no inhabitant houses, near to the chowk. My house is at a distance of one square from the said chowk. I stopped in the chowk while seeing the accused and the deceased. I sometime stop my in the chowk if feel necessary. Our village is consist of 5000-6000 population. I owned 30 acre land in that village. The complainant might have owned 7-8 acres of land in his village. I am financially strong than the complainant. The accused persons did not demand Bhatta from me. It is incorrect to suggest that no such event as stated by me in my examination in chief had ever occurred nor I had informed to the complainant. It is incorrect to suggest that it is just a padding and I have made false statement at the behest of the complainant party.

R.O. & A.C.:
15.04.2015

AP
RAJA PERVEZ AKHTAR.
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.13 Muhammad Saleem s/o Muhammad Sharif, caste Malik, age 50 years, cultivator, r/o Chak No.58/RB Ratta Joya, Tehsil Jaranwala. District Faisalabad..

On oath.

About 10-11 days prior to the murder of Muhammad Arshad deceased, I was coming from Jhuggian village and going towards my home. At about 4.00 p.m., when I reached in the chowk of Boys School of the village, the accused persons Raashid and Adnan (present in the court) were demanding Rs.2 lac as 'Bhatta' from Arshad (deceased) in my presence and presence of Qamar Shehzad. The deceased beseeched the accused that he is a poor man and cannot pay. The accused persons Raashid and Adnan went away.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused 'Qamar Adnan.'

I got recorded my statement in earlier round of proceedings U/S 512 of Cr.P.C., on 17.06.2014. I stated in my earlier statement before the court that it was sunset time and I was coming on my tractor. It is incorrect to suggest that I have made a false statement.

R.O. & A.C.:
15.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.14

Ehsan Ullah 4781/HC, presently posted as Moharrar at Police Station Balochani, District Faisalabad..

On oath.

On 29.03.2015, I was posted as Moharrar at Police Station Balochani. On the same day, the investigating officer handed over to me two sealed parcels, said to contain Kalashnikovs for keeping its in a safe custody and its onwards transmission in the office of Forensic Science Agency, Lahore.

On 01.04.2015, I handed over the above said two sealed parcels, said to contain Kalashnikovs to Karamat Ali 3395/C for its onward transmission to the office of Forensic Science Agency, Lahore, intact.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan. It is incorrect to suggest that above said persons were tampered with.

R.O. & A.C.:
15.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.15 Karamat Ali 3395/C, presently posted at Police Station Balochani, District Faisalabad..

On oath.

On 01.04.2015, I was posted as constable at Police Station Balochani. On the same day, the Moharrar handed over me two sealed parcels, said to contain Kalashnikovs for its onward transmission to the office of Forensic Science Agency, Lahore. On 03.04.2015, I deposited the above said two sealed parcels in the office of Forensic Science Agency, Lahore, intact.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.
It is incorrect to suggest that above said persons were tampered with.

R.O. & A.C.:
15.04.2015

PP
RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

PW.16 Muhammad Usman Inspector, presently posted at Police Lines, Faisalabad.

On oath.

On 09.06.2014, I was posted as Inspector/SHO at Police Station Balochani. On the same day, the investigation of this case was entrusted to me at the eave of transfer of Muhammad Iqbal Inspector/Incharge Investigation of Police Station Khurrianwala. On 11.06.2014, I inspected the place of occurrence with the permission of the court. I recorded the statements of eye witnesses U/S 161 of Cr.P.C. I recorded the supplementary statement of Akhtar complainant, wherein he introduced two new witnesses Muhammad Saleem and Muhammad Shehzad. I joined them in the investigation and recorded their statements U/S 161 of Cr.P.C. On 14.06.2014, after due completion of the investigation, I submitted the challan U/S 512 of Cr.P.C.

XXXX By Ch. Saeed Ahmad Advocate, learned defence counsel on behalf of accused Raashid Naeem whereas Mian Jamil Ahmad Advocate, learned defence counsel on behalf of accused Qamar Adnan.

It is correct that I recorded the statements of Muhammad Saleem and Muhammad Shehzad on the instruction and objection raised by the Prosecution Branch. It is incorrect to suggest that in order to fill up the lacuna, pointed out by the Prosecution Branch, I maneuvered the alleged statements of above said two witnesses in connivance with the complainant.

R.O. & A.C.:
20.04.2015

ap
RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Statement of Mr. Tariq Bashir Sadla, learned Associate Public
Prosecutor for State.

Without oath.

I give up PW Zia Ullah SI, as being unnecessary, tender the report of
Forensic Science Agency, Lahore Exh.P.S and close the prosecution evidence.

R.O. & A.C.:
10.04.2015

RAJA PERVEZ AKHTAR,
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Statement of Accused Raashid Naeem son of Shamim-ud-Din, Caste Gujjar, Resident of Chak No.51 R/B, Tehsil Shahkot District Nankana Sahib, under section 342 Cr.P.C.

(Without Oath)

Q1: Have you heard and understood the prosecution evidence recorded in your presence and hearing?

Ans. Yes.

Q2: It is in the prosecution evidence that on 02-01-2014 at about 1:45 pm Muhammad Akhtar complainant along with Abdul Ghaffar alias Abbas and Sattar PWs were present at Chowk near to the house of Abbas. They were waiting for Muhammad Arshad who went to call Muhammad Attique in his house as they had to go to their field in connection with their work. Meanwhile Muhammad Arshad reached in Chowk along with Muhammad Attique. You accused in four number riding on two motorcycles reached in the Chowk. The persons who were driving the motorcycles were unknown. whereas you Rashid Naeem accused armed with Kalashnikov was sitting in pillion of one motorcycle whereas your co-accused Qamar Adnan alias Pehlwan armed with Kalashnikov was sitting in pillion of another motorcycle. You alighted from the motorcycle and intercepted Muhammad Arshad and asked him that why he had not paid (Bhatta) extort money Rs.2 lac Muhammad Arshad beseeched you that he is poor man and can not arranged Rs. 2 lac as "Bhatta" Upon which, you (Muhammad Rashid) accused made a fire with your Kalashnikov which landed on the left side of chest of Muhammad Arshad. Muhammad Arshad fell down on the ground whereas your co-accused made a fire shot.. You all the accused person fled away from the venue of occurrence, after the occurrence. Muhammad Arshad succumbed to the injury at the spot. This occurrence was witnessed by Muhammad Akhtar, Abdul Ghaffar alias Abbas and Abdul Sattar PWs. What do you say about it?

Ans:

Q3:

No, it is incorrect.

It is in the prosecution evidence that motive behind the occurrence was that you accused Rashid Naeem and your co-accused Qamar Adnan alias Adnan, demanded "Bhatta" from Muhammad Arshad. On his refusal, you along with your co-accused committed the

murder in furtherance of your common intention of Muhammad Arshad and caused injury on Muhammad Waqas ASI?

Ans. No, it is incorrect.

- Q4: It is in prosecution evidence that I.O during spot inspection secured blood stained earth from the place of occurrence and made into a seal parcel and took into possession vide recovery memo Exh-P.E, attested by PWs, according to report of chemical Forensic Science Agency Exh.PS-1, it was found stained with human blood. What have you to say about it?

Ans. No, it is incorrect.

- Q5: It is in prosecution evidence that I.O during spot inspection collected three crime empties from the place of occurrence and made it into a sealed parcel and took into possession vide recovery memo Exh-P.F, what do you say about it?

Ans.

- Q6: It is in the prosecution evidence that after the occurrence you remained absconder till your arrest and in this regard non bailable warrant of arrest was issued against you which is Ex-PL, on which report is Ex. PL/1. Later on your proclamation warrant was issued which is Ex. PN on which report is Ex.P.N/1, and you were declared proclaimed offender, what have you to say about it?

Ans. No, it is incorrect. False reports were prepared at the instance of the complainant.

- Q7: It is in the prosecution evidence that some days prior to the occurrence on 22.12.2013 at about 4: PM you along with you co-accused Qamar Adnan, in the presence of Shehzad Qamar and Muhammad Saleem PWs demanded Rs. 2 lac as "Bhatta" from Arshad deceased in the Chowk of primary school situated at Chak no.58 R/B. The deceased beseeched you that he is poor man and not able to pay Rs.2 lac as "Bhatta" upon which you and your co-accused Adnan went away while extending the threats of dire consequences to the deceased Arshad? What do you say about it?

Ans. No, it is incorrect.

- Q8: It is in prosecution evidence that on 29-03-2015 you accused during interrogation made a disclosure and led to the recovery of Kalashnikov P-9 along with 2 magazines P-10/1-2, and 54 live

bullets-P-11/1-54, from the third room of the house of Adana alias Pehlwan co-accused situated in Chak No. 52/ R.B. which the I.O. made it into sealed parcel and took the same into possession vide recovery memo EX. PC, attested by PWs. What have you to say about it?

Ans: The recoveries are false and fake and were maneuvered to strengthen the prosecution.

Q9: It is in prosecution evidence that on 29-03-2015 you accused during interrogation made a disclosure and consequently led to the recovery of a motorcycle P-1, from the hall of the house of Adnan alias Pehlwan co-accused situated in Chak no. 52 R/B. which the I.O took into possession vide recovery memo Exh.P.D, attested by PWs. What have you to say about it?

Ans: No, it is incorrect.

Q10: Why this case against you and why PWs have deposed against you?
Ans: It is a false case, the PWs being close relative to the complainant being character less, biased and inimical toward me have made false deposition. They did not see the alleged occurrence. The only alleged injured Attiq if presumed to be present at the spot, was not examined by the prosecution due to the fact that he would not support the false prosecution version and might be disclosed the true version. The PWs made malafide improvement in their statement on the ill advice of a legal person which negates their credibility.

The motive alleged by the prosecution is false and frivolous same otherwise was not proved. In the motive part the legal requirement that, the extortion, (Bhatta) if claimed was without intentionally putting the deceased in fear of injury to him and thereafter, dishonestly induced him so put in fear to pay 'Bhatta' is totally missing, so the motive on the basis of which, the case in hand was tried by this court lacks jurisdiction. The PWs produced by the prosecution, in this regard were examined 6 1/4 months after the alleged occurrence and during their examination they tried to improve their statement but were failed. No evidence in this respect of striking of terror or creation of sense of fear and in security in the people was produced by the prosecution. The alleged

Raja Pervaiz Akhtar

(D&SJ) Judge Anti Terrorism Court
Faisalabad

recovery of Kalashnikov were planted and fabricated in connivance with the complainant. I am innocent.

Q11: Will you appear as your own witness and make statement on oath as required U/S 340(2) Cr.P.C in disproof of allegations leveled against you?

Ans No.

Q12 Will you produce defense evidence?

Ans No.

Q13: Have you anything else to say?

Ans: I am innocent.

R.O.&A.C.

05.06.2015

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Certified that the examination was taken in my presence and hearing and it contains full and true account of the statement made by the accused.

Dated: 05.06.2015.

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

[Handwritten signature]

Statement of Accused Qamar Adnan alias Pehlwan son of Nazir Hussain,
Caste Arain,, Resident of Chak No.52 G/B, Tehsil Shahkot District Nankana
Sahib, under section 342 Cr.P.C.

(Without Oath)

Q. No. 1: Have you heard and understood the prosecution evidence recorded in your presence and hearing?

Ans: Yes.

Q. No.2: It is in the prosecution evidence on 02-01-2014 at 1:45 pm Muhammad Akhtar complainant along with Abdul Ghaffar alias Abbas Sattar PWs were present at Chowk near to the house of Abbas. They were waiting for Muhammad Arshad who went to call Muhammad Attique in his house as they had to go to their field in connection with their work. Meanwhile Muhammad Arshad reached in Chowk along with Muhammad Attique. Meanwhile four persons riding on two motorcycles reached in the Chowk. The persons who were driving the motorcycles were unknown, whereas your co-accused Rashid Naeem armed with Kalashnikov was sitting as pillion of one motorcycle whereas you accused armed with Kalashnikov were sitting as pillion of another motorcycle. Your co-accused alighted from the motorcycle and intercepted Muhammad Arshad and asked him that why he had not arranged 'Bhata' Rs.2 lac and why he had not paid it. Muhammad Arshad beseeched you that he is poor man and can not arranged Rs. 2 lac as "Bhatta". Upon which, your co-accused Muhammad Rashid made a fire with his Kalashnikov which landed on the left side of chest of Muhammad Arshad. Muhammad Arshad fell down on the ground. Then you Qamar Adnan alias Adnan accused made a fire with your Kalashnikov which landed on the left side of leg of Mohammad Attique. Mohammad Attique also fell down on the ground. You all the accused persons fled away from the place of occurrence, after the occurrence. Mohammad Arshad succumbed to injury at the spot. This occurrence was the witnessed by Mohammad Akhtar, Abdul Gaffar alias Abbas and Abdul star PWs. What do you say about it?

~
Raja Pervez Akhtar
(D&SJ) Judge Anti Terrorism Court,
Faisalabad

Ans: No, it is incorrect.

Q. No.3: It is in the prosecution evidence that motive behind the occurrence was that you accused Qamar Adnan alias Adnan and your co-accused Raashid Naeem alias demanded "Bhatta" from Muhammad Arshad deceased. On his refusal, you along with your co-accused committed his murder?

Ans. No, it is incorrect.

Q. No.4: It is in prosecution evidence that I.O during spot inspection secured blood stained earth from the place of occurrence and made into a seal parcel and took into possession vide recovery memo Exh-P.E, attested by PWs and it was found stained with human blood according to report of chemical examiner Exh.PS/1. What do you say about it?

Ans: No, it is incorrect.

Q. No.5: It is in the prosecution evidence that I.O during spot inspection collected three crime empties from the place of occurrence and made it into a seal parcel and took into possession vide recovery memo Exh-P.F, what have you say about it?

Ans: I do not know.

Q. No. 6: Is it a fact that after the occurrence you absconded in order to avoid your arrest and in this regard your non bailable warrant of arrest was issued which is EX-PM, on which report is EX. PM/1. Later on your proclamation warrant was issued which is EX.PO on which report is EX.PO/1, and you were declared proclaimed offender. What do you say about it?

Ans. No, it is incorrect. False reports were prepared at the instance of the complainant.

Q.No.7: It is in the prosecution evidence that some days prior to the occurrence i.e. 22-12-2013 at about 4:00 p.m. you along with your co-accused Raashid Naeem, in the presence of Shehzad Qamar and Muhammad Saleem PWs demanded Rs. 2 lac as "Bhatta" from Arshad deceased in the Chowk of primary school situated at Chak

Raja Pervaiz Akhter No.58 R/B. The deceased beseeched you that he is poor man and not able to pay Rs.2 lac as "Bhatta" upon which you and your co-accused Rashid Naeem went away while extending the threats of

dire consequences to the deceased Arshad. What do you say about it?

Ans: No, it is incorrect.

Q. No.8: It is in prosecution evidence that on 29-03-2015 you during interrogation made a disclosure and consequently led to the recovery of Kalashnikov P.6, along with one magazine P.7, and 28 live bullets-P.8/1-28, from the room of your house situated in Chak 52 R/B Investigating Officer made it into a sealed parcel and took the same into possession vide recovery memo EX.PB, attested by PWs. What do you say about it?

Ans: The recoveries are false and fake and were maneuvered to strengthen the prosecution.

Q. No. 9: Why this case against you and why PWs have deposed against you?

Ans It is a false case, the PWs being close relative to the complainant. Character less, biased and inimical towards me have made false deposition. They did not see the alleged occurrence. The only alleged injured if presumed to be present at the spot, was not examined by the prosecution due to the fact that he would not support the false prosecution version and might be disclosed the true version. The PWs made malafide improvement in their statement on the ill advice of a legal person which negates their credibility.

The motive alleged by the prosecution is false and frivolous same otherwise was not proved. In the motive part the legal requirement that, the extortion, (Bhatta) if claimed was without intentionally putting the deceased in fear of injury to him and thereafter, dishonestly induced him so put in fear to pay 'Bhatta' is totally missing, so the motive on the basis of which, the case in hand was tried by this court lacks jurisdiction. The PWs produced by the prosecution, in this regard were examined 6 $\frac{1}{2}$ months after the alleged occurrence and during their examination they tried to improve their statement but were failed. No evidence in

Raja Pervez Akhtar this respect of striking of terror or creation of sense of fear and in (D&S) Judge Anti Terrorism Court, security in the people was produced by the prosecution. The alleged Faisalabad recovery of Kalashnikov were planted and fabricated in connivance with the complainant. I am innocent.

Q. No.10: Will you appear as your own witness and make statement on oath as required U/S 340(2) Cr.P.C in disproof of allegations leveled against you?

Ans: No.

Q. No.11 Will you produce defense evidence?

Ans No.

Q. No.12: Have you anything also to say?

Ans: I am innocent.

R.O.&A.C.

05.06.2015.

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Certified that the examination was taken in my presence and hearing and it contains full and true account of the statement made by the accused.

Dated:05.06.2015.

RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)/
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

(O لیکھ)

In the name of Almighty Allah, is the most beneficent and merciful all over of mankind

**IN THE COURT OF RAJA PERVEZ AKHTAR (D&SJ)/
JUDGE, ANTI-TERRORISM COURT, FAISALABAD.**

Sessions Case No.84/ATC/FSD/2015,

Decision No.95/ATC/FSD/2015,

- The State Vs. 1. Raashid Naeem s/o Shamas-ud-Din, caste Gujjar, age 28 years, r/o Chak No.51/RB, Police Station Shahkot, District Nankana Sahib.
2. Qamar Adnan s/o Nazir Hussain, caste Arain, age 26 years, r/o Chak No.52/RB, Police Station Balochani, District Faisalabad

(Accused)

Case FIR No.04/2014, dated 02.01.2014, U/Ss 302/324/386/34 of
PPC & 7 of Anti-Terrorism Act, 1997, Police Station Balochani,
District Faisalabad.

Date of Decision 15.06.2015

JUDGMENT

The above named accused persons were sent up to this Court by the police of Police Station Balochani, District Faisalabad to face trial in case FIR No.04, dated 02.01.2014, U/Ss 302/324/386/34 of PPC & 7 of Anti-Terrorism Act, 1997, for allegedly causing 'Qatl-e-Amd' of Muhammad Arshad and injury to Muhammad Attique.

2. Briefly, the prosecution case as contained in the report U/S 154 Cr.P.C recorded on the strength of written application Exh.P.A of Muhammad Akhtar (complainant) is that he is the resident of Chak No.58/JB and is a cultivator. On 02.01.2014, at 1.45 p.m., he along-with Abdul Ghaffar alias Abbas and Abdul Sattar was present at Chowk near to the house of Abbas and were waiting Muhammad Arshad and Muhammad Attique. They have to go to their field in connection with their work. Meanwhile, his brother Muhammad Arshad reached in the bazaar along-with Attique from his house. Meanwhile, four persons

Cont
Raja Pervez Akhtar
(D&SJ Judge Anti-Terrorism Court,
Faisalabad)
15 JUN 2015

riding on two motorcycles arrived there. Muhammad Raashid accused armed with Kalashnikov was sitting in pillion of one motorcyclist whereas Muhammad Adnan alias Pehlwan armed with Kalashnikov was sitting in pillion of another motorcyclist emerged there. Accused persons alighted from the motorcycles and intercepted his brother Muhammad Arshad and told him that they had asked about the arrangement of Rs.2 lac but you did not arrange and pay it. Arshad beseeched the accused persons that he is a poor man and cannot arrange the amount. Upon which, Muhammad Raashid accused made a fire with his Kalashnikov which landed on the left side of chest of his brother Muhammad Arshad. Muhammad Adnan made a fire with his Kalashnikov, which landed on the left leg of Muhammad Attique. Both fell down on the ground in injured condition. The accused persons Muhammad Raashid and Muhammad Adnan alias Daan fled away from the spot while boarding on the motorcycles of unknown accused persons. After the occurrence, they ran towards the injured persons and found Muhammad Arshad dead at the spot and shifted Muhammad Attique in injured condition to the hospital and he was under treatment in the Allied Hospital, Faisalabad.

3. The motive behind the occurrence is that the accused Muhammad Raashid etc. demanded 'Bhatta' from his brother Muhammad Arshad, but he could not pay the 'Bhatta' amount to the accused persons. The accused persons, in furtherance of their common intention, committed the murder of Muhammad Arshad and injured Muhammad Attique, while making firing.

4. After receiving the information of the occurrence, PW.10 Ghulam Sarwar SI reached at the place of occurrence. He met the complainant PW.1 Muhammad Akthar who produced the complaint Exh.P.A. PW.10 Ghulam Sarwar SI endorsed the complaint and sent the same to the Police Station through Naseer Ahmad 2119/HC for registration of FIR. Muhammad Akram 722/MHC (PW.6) chalked out formal F.I.R Exh.P.A/1 on the basis of complaint Exh.P.A, without any addition or omission on his part.

5. Ghulam Sarwar SI/investigating officer carried out the initial investigation of this case. He while appearing as PW.10 deposed that on

02.01.2014, he along-with Allah Rakha 604/C, Muhammad Aslam 4152/C and Naseer Ahmad 2119/HC, after receiving the information of the incident, reached at the place of occurrence. Muhammad Akthar complainant produced written application Exh.P.A before him for registration of the FIR. He endorsed the same and sent to the Police Station through Naseer Ahmad 2119/HC for registration of formal FIR. He took up the investigation and inspected the dead body of Muhammad Arshad, prepared his injury statement Exh.P.G/2 and inquest report Exh.P.G/3. He entrusted the dead body to Allah Rakha 604/C for escorting the same to the mortuary for autopsy. Thereafter, he inspected the place of occurrence and during spot inspection, he secured blood stained earth from the place of murder of Muhammad Arshad and made into sealed parcel, vide memo Exh.P.E, attested by the PWs. He also secured 3 crime empties of Kalashnikov from the place of occurrence, made it into a sealed parcel and took into possession vide memo Exh.P.F, attested by the PWs. He prepared the visual site plan of the place of occurrence Exh.P.P. All the drawing and notes on Exh.P.P are in his hand writing and bear his signature. He recorded the statements of the PWs U/S 161 of Cr.P.C. He searched for the accused persons, who could not be arrested. On 03.01.2014, Allah Rakha constable, after post mortem examination produced before him the carbon copy of the post mortem examination report, police papers and last worn clothes of deceased Muhammad Arshad consist of qameez P.2, shalwar P.3, high-neck P.4 and sweater P.5 (all blood stained), which he took into possession vide memo Exh.P.J, attested by Allah Rakha constable. He recorded the statements of Allah Rakha constable, Muhammad Ramzan and Muhammad Akram U/S 161 of Cr.P.C. On 04.01.2014, Muhammad Nawaz Draftsman visited the place of occurrence and took the rough notes on his direction and pointation of the complainant and PWs. On 06.01.2014, Muhammad Nawaz Draftsman produced before him the duplicate copies of scaled site plans Exh.P.K and Exh.P.K/1. He appended his notes on Exh.P.K and Exh.P.K/1 in red ink. He recorded the statement of Muhammad Nawaz Draftsman U/S 161 of Cr.P.C. On 07.01.2014, he recorded the statements of Muhammad Akram 722/HC and Muhammad Ilyas 3279/C regarding the safe transmission of sealed parcels to

DO. Emry
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Punjab Forensic Science Agency, Lahore. On 08.01.2014, he recorded the statement of Muhammad Attique injured witness U/S 161 of Cr.P.C. On 06.03.2014, he moved application Exh.P.Q for issuance of non-bailable warrants of arrest against accused Muhammad Raashid and Muhammad Adnan. He entrusted the non-bailable warrants of arrest to Shoukat Ali constable. On 22.03.2014, Shoukat Ali constable returned the unexecuted non-bailable warrants of arrest along-with his reports to him. The accused persons could not be arrested. On 12.04.2014, he moved application Exh.P.R for issuance of proclamations against the above mentioned accused and entrusted the same to Shoukat Ali constable for execution. On 15.04.2014, Shoukat Ali returned the copies of proclamations along-with his reports. He recorded his statement U/S 161 of Cr.P.C. On 16.04.2014, he got prepared challan U/S 512 of Cr.P.C. against the accused Muhammad Raashid and Muhammad Adnan.

6. Thereafter, Muhammad Iqbal Inspector/investigating officer conducted the investigation of this case. He while appearing as PW.11 deposed that on 28.05.2014, the investigation of this case was entrusted to him by the order of SSP (Investigation), Faisalabad. He reached at the place of occurrence. He met Muhammad Akhtar complainant, Abdul Ghaffar and Abdul Sattar PWs at the place of occurrence. He joined them in the investigation. He also inspected the place of occurrence and got verified the facts already mentioned in visual site plan prepared by the previous investigating officer and found the same correct. He raided the respective addresses of the accused Muhammad Raashid and Muhammad Adnan to affect their arrest, but the accused persons are not available on their respective addresses. Thereafter, he reached at Police Station Balochani and procured the previous history of accused persons from Moharrar of Police Station Balochani. He incorporated the ^{same} in his case dairy. On 05.06.2014, he was transferred and handed over the police file to the Moharrar. On 13.03.2015, he was posted as Incharge Investigation of Police Station Satiana. On the same day, the investigation of this case was again entrusted to him by the order of SSP (Investigation), Faisalabad. Accused Raashid Naeem and Qamar Adnan were already arrested in case FIR No.99/2015, dated 15.02.2015, U/Ss 392/411 PPC,

15 JUN 2015
Raja Pervez Akhtar
Actg. Commr.
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Police Station Khurrianwala and were produced in the court of learned Area Magistrate, Jaranwala. He joined the accused persons in the investigation of this case with the permission of learned Judicial Magistrate. On 16.03.2015, he made the formal arrest of accused persons Raashid Naeem and Qamar Adnan in this case. On 29.03.2015, accused Muhammad Adnan (present in the court) during interrogation made a disclosure and led to the recovery of kalashnikov along-with magazine and 28 live bullets from the room of his house situated in Chak No.52/RB, which he made into sealed parcel and took into possession, vide recovery memo Exh.P.B, attested by the PWs. He prepared the corresponding visual site plan of the place of recovery Exh.P.B/1. All the drawing and notes on Exh.P.B/1 are in his hand writing and bear his signature. On the same day, i.e. accused Muhammad Raashid (present in the court) during interrogation made a disclosure and led to the recovery of kalashnikov along-with two magazines and 54 live bullets from the third room of the said house i.e. Adnan alias Pehlwan's house, situated in Chak No.52/RB, which he made into sealed parcel and took into possession, vide recovery memo Exh.P.C, attested by the PWs. On the same day, i.e. accused Muhammad Raashid (present in the court) during interrogation made a disclosure and led to the recovery of motorcycle P.1 from the hall of the house of Adnan alias Pehlwan accused, situated in Chak No.52/RB, which he took into possession, vide recovery memo Exh.P.D, attested by the PWs. He prepared the corresponding visual site plan of the place of recoveries of Kalashnikov and motorcycle Exh.P.D/1. All the drawing and notes on Exh.P.D/1 are in his hand writing and bear his signature. He recorded the statements of the PWs U/S 161 of Cr.P.C. On 30.03.2015, he got sent the accused persons Raashid Naeem and Qamar Adnan to the judicial lock up. On 31.03.2015, he got prepared challan against the accused persons. On 03.04.2015, he recorded the statements of PWs Ihsan Ullah 4781/HC and Karamat Ali 3395/C U/S 161 of Cr.P.C.

7. Thereafter, the investigation of this case was entrusted to PW.16 Muhammad Usman Inspector. He while appearing as PW.16 deposed that on 09.06.2014, the investigation of this case was entrusted to him at the eave of transfer of Muhammad Iqbal Inspector/Incharge Investigation of Police Station

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Khurrianwala. On 11.06.2014, he inspected the place of occurrence with the permission of the court. He recorded the statements of eye witnesses U/S 161 of Cr.P.C. He recorded the supplementary statement of Akhtar complainant, wherein he introduced two new witnesses Muhammad Saleem and Muhammad Shehzad. He joined them in the investigation and recorded their statements U/S 161 of Cr.P.C. On 14.06.2014, after due completion of the investigation, he submitted the challan U/S 512 of Cr.P.C.

8. Dr. Sadaqat Ali, Medical Officer, Rural Health Centre, Khurrianwala conducted the post mortem examination on the dead body of Muhammad Arshad (deceased) and medical examination of Muhammad Attique. He while appearing as PW.3 deposed as under:-

"On 03.01.2014, I was posted as Medical Officer, Rural Health Centre, Khurrianwala, District Faisalabad. On the same day at 09:05 a.m., I conducted the post-mortem examination upon the dead-body of Muhammad Arshad s/o Ghulam Muhammad, caste Gujar, aged 38 years, r/o Chak No. 58/R.B. District Faisalabad. The dead-body was brought by Allah Rakha 604-C, Police Station, Balochni, District Faisalabad which was identified by Muhammad Ramzan s/o Noor Muhammad and Muhammad Akram s/o Ameer Ali.

Information furnished by the police. One entry wound and one exist wound, on front and back of chest. My observations were as follows:-

EXTERNAL APPEARANCE:

A body of middle aged man was lying on post-mortem table of average height and built, average weight, rigor mortis developed.

EXAMINATION OF CLOTHES:

The dead body was wearing qameez Kareem colour, Shalwar Kareem colour, high-neck Sandli colour, Swettor multi colour blood stained.

I found the following injuries on the dead-body:-

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INJURIES:

- 1.a) A firearm wound of entry 0.75 cm x 0.75 cm on front of lower and left side of chest. 10 cm from left nipple and 05 cm from midline.
- 1.b) A firearm wound of exit 1.5 cm x 1.5 cm, on back and left side of lower chest. 7 cm from midline and 13 cm from left scapula.

CRANIUM AND SPINAL CORD:

Head not opened.

THORAX:

Left Pleura, left lung, pericardium & heart were found damaged.

ABDOMEN:

Stomach contained small food. Bladder contained few "15 to 20 ML" of urine. All the viscera of abdomen were found healthy.

UPPER & LOWER LIMBS:

No injury found on upper and lower limbs.

OPINION:

According to my opinion, cause of death due to haemorrhagic shock. Due to damage to left lung and heart. All injuries are anti mortem. Injury No. I-a & b is sufficient to cause death in ordinary course of life.

Probable time that elapsed between injury and death was immediately and between death and post-mortem 19 to 20 hours.

After conducting the post-mortem, I delivered a well stitched dead-body, last worn clothes, police papers and copy Post-Mortem Examination Report were handed over to Allah Rakha 604-C. Exh.P.G is the carbon copy of Post-Mortem Examination Report, Exh.P.G/1 is the pictorial diagrams, which were in my hand and bear my signatures and seal. Exh.P.G/2 injury statement and Exh.P.G/3 inquest report were also endorsed by me.

Do my best
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On the same day, I medically examined Muhammad Attique s/o Fafeer Hussain aged about 18 years r/o Chak No. 58/R.B. District Faisalabad. Injured was brought by Muhammad Rafique 3038/HC. I medically examined and found the following injury:-

INJURY NO.1.

A firearm wound of injury 1 cm x 1 cm into DNP on inner side of right thigh. X-ray was advised and injured was kept under observation for final opinion.

After medical examination, I issued carbon copy of medico legal certificate. Exh.P.H is the correct carbon copy of medico legal certificate and Exh.P.H/1 is the pictorial diagram which is in my handwriting and bears my seal and signatures. I also endorsed the injury statement Exh.P.H/2."

9. The challan was presented before this court against the accused persons Raashid Naeem and Qamar Adnan. The copies were delivered to them, as required U/S 265-C of Cr.P.C. Then, the accused persons were arraigned; however, ^{they} he pleaded not guilty and claimed for trial. Whereafter, the prosecution was required to adduce its evidence. As many as sixteen PWs were produced by the prosecution and their statements are summarized hereunder:-

10. PW.1 Muhammad Akhtar (complainant) appeared to prove the ocular account, being the complainant beside motive and to prove the recoveries of Kalashnikov along-with magazine and 28 live bullets on the disclosure and instance of accused Muhammad Adnan, vide recovery memo Exh.P.B, recoveries of Kalashnikov along-with two magazines and 54 live bullets on the disclosure and instance of accused Raashid Naeem, vide recovery memo Exh.P.C and recovery of motorcycle P.1 on the disclosure and instance of accused Muhammad Adnan, vide recovery memo Exh.P.D.

11. PW.2 Abdul Ghaffar alias Abbas appeared to prove the ocular account beside motive and to prove the securing of blood stained earth from the place of occurrence vide recovery memo Exh.P.E, collection of three crime

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empties vide recovery memo Exh.P.F, recoveries of Kalashnikov along-with magazine and 28 live bullets on the disclosure and instance of accused Muhammad Adnan, vide recovery memo Exh.P.B, recoveries of Kalashnikov along-with two magazines and 54 live bullets on the disclosure and instance of accused Raashid Naeem, vide recovery memo Exh.P.C and recovery of motorcycle P.1 on the disclosure and instance of accused Muhammad Adnan, vide recovery memo Exh.P.D.

12. PW.3 Dr. Sadaqat Ali, Medical Officer, appeared to furnish medical evidence by proving post mortem examination report Exh.P.G of Muhammad Arshad (deceased) and locale of his injuries and pictorial diagram Exh.P.G/1 and proving the medico-legal certificate Exh.P.H of injured PW Muhammad Attique and locale of his injury and pictorial diagram Exh.P.H/1.

13. PW.4 Muhammad Ramzan appeared as identifier of the dead body of Muhammad Arshad (deceased) in the mortuary of Tehsil Headquarters Hospital, Jaranwala before the doctor, at the time of autopsy.

14. PW.5 Allah Rakha 604/C escorted the dead body of Muhammad Arshad (deceased) to the mortuary at Tehsil Headquarters Hospital, Jaranwala and produced the last worn clothes consist of qameez P.2, shalwar P.3, highneck P.4 and sweater P.5 (all blood stained) to the investigating officer, who took the same into possession, vide memo Exh.P.J.

15. PW.6 Muhammad Akram 722/HC appeared to prove the registration of formal FIR Exh.P.A/1 on the receipt of complaint Exh.P.A, sent by Ghulam Sarwar SI, Police Station Balochani, District Faisalabad and also to prove the safe custody of one sealed parcel said to contain blood stained earth and one sealed parcel said to contain crime empties in the 'Malkhana' and also transmitting the said parcels in the office of Forensic Science Agency, Lahore through Muhammad Ilyas 3279/C, intact.

16. PW.7 Muhammad Ilyas 3279/C appeared to prove the safe transmission of one sealed parcel said to contain blood stained earth and one

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sealed parcel said to contain crime empties in the office of Forensic Science Agency, Lahore, intact.

17. PW.8 Muhammad Nawaz Draftsman appeared to prove the preparation of scaled site plans Exh.P.K and Exh.P.K/1.

18. PW.9 Shoukat Ali 2116/C appeared to prove the services of non-bailable warrants of arrest against accused Muhammad Raashid Exh.P.L and Muhammad Adnan as Exh.P.M and also of proclamations Exh.P.N against Muhammad Raashid and Exh.P.O against Muhammad Adnan accused with his reports on the non-bailable warrants of arrest and proclamations Exh.P.L/1, Exh.P.M/1, Exh.P.N/1 and Exh.P.O/1, respectively.

19. PW.10 Ghulam Sarwar SI appeared to sum up the investigation conducted by him in the case.

20. PW.11 Muhammad Iqbal Inspector appeared to sum up the investigation conducted by him in the case.

21. PW.12 Shehzad Qamar appeared to prove the ocular account to the extent of motive part i.e. demand of 'Bhatta'.

22. PW.13 Muhammad Saleem appeared to prove the ocular account to the extent of motive part i.e. demand of 'Bhatta'.

23. PW.14 Ehsan Ullah 4781/HC appeared to prove the safe custody of two sealed parcel said to contain Kalashnikovs in the 'Malkhana' and also transmitting the said parcels in the office of Forensic Science Agency, Lahore through Karamat Ali 3395/C, intact.

24. PW.15 Karamat Ali 3395/C appeared to prove the safe transmission of two sealed parcel said to contain Kalashnikovs in the office of Forensic Science Agency, Lahore, intact.

25. PW.16 Muhammad Usman Inspector appeared to sum up the investigation conducted by him in the case.

26. Mr. Aleem Talib Chatha, Learned Public Prosecutor for the State, has given up the PWs Muhammad Attique as being won over, PWs Abdul Sattar,

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Muhammad Akram and Zia Ullah SI as being unnecessary, tendered the reports of Forensic Science Agency, Lahore Exh.P.S and closed the prosecution evidence.

27. After close of the prosecution evidence, the statements of accused persons U/S 342 of Cr.P.C. has been recorded. In question "Why this case against you and why the PWs have deposed against you", the accused persons Raashid Naeem and Qamar Adnan produced their defence version, which runs as follows:-

Accused Raashid Naeem

"It is a false case, the PWs being close relative to the deceased. Character less, biased and inimical toward me have made false deposition. They did not see the alleged occurrence. The only alleged injured if presumed to be present at the spot, was not examined by the prosecution due to the fact that he would not support the false prosecution version and might be disclosed the true version. The PWs made malafide improvement in their statement on the ill advice of a legal person, which negated their credibility.

The motive alleged by the prosecution is false and frivolous : same otherwise was not proved. In the motive part the legal requirement that, the extortion, (Bhatta) if claimed was without intentionally putting the deceased in fear of injury to him and thereafter, dishonestly induced him so put in fear to pay 'Bhatta' is totally missing, so the motive on the basis of which, the case in hand was tried by this court lacks jurisdiction. The PWs produced by the prosecution, in this regard were examined 6 1/4 months after the alleged occurrence and during their examination they tried to improve their statement but were failed. No evidence in this respect of striking of terror or creation of sense of fear and in security in the people was produced by the prosecution. The alleged recovery of Kalashnikov were planted and fabricated in connivance with the complainant. I am innocent."

*Abdul Raheem
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(D&S)
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Accused Qamar Adnan

"It is a false case, the PWs being close relative to the complainant. Character less, biased and inimical toward me have made false deposition. They did not see the alleged occurrence. The only alleged injured if presumed to be present at the spot, was not examined by the prosecution due to the fact that he would not support the false prosecution version and might be disclosed the true version. The PWs made malafide improvement in their statement on the ill advice of a legal person, which negated their credibility.

The motive alleged by the prosecution is false and frivolous

Accused Qamar Adnan

"It is a false case, the PWs being close relative to the complainant. Character less, biased and inimical toward me have made false deposition. They did not see the alleged occurrence. The only alleged injured if presumed to be present at the spot, was not examined by the prosecution due to the fact that he would not support the false prosecution version and might be disclosed the true version. The PWs made malafide improvement in their statement on the ill advice of a legal person, which negated their credibility."

The motive alleged by the prosecution is false and frivolous same otherwise was not proved. In the motive part the legal requirement that, the extortion, (Bhatta) if claimed was without intentionally putting the deceased in fear of injury to him and thereafter, dishonestly induced him so put in fear to pay 'Bhatta' is totally missing, so the motive on the basis of which, the case in hand was tried by this court lacks jurisdiction. The PWs produced by the prosecution, in this regard were examined 6 ½ months after the alleged occurrence and during their examination they tried to improve their statement but were failed. No evidence in this respect of striking of terror or creation of sense of fear and in security in the people was produced by the prosecution. The alleged recovery of Kalashnikov were planted and fabricated in connivance with the complainant. I am innocent."

28. The accused persons neither opted to produce defence evidence nor to make their statements on oath U/S 340(2) of Cr.P.C. in disproof of the charges/allegations.

29. I have heard the arguments of Mr. Aleem Talib Chatha, learned Public Prosecutor for State assisted by Ch. Muhammad Atif Saeed Advocate, learned counsel for the complainant, Ch. Saeed Ahmad and Mian Jamil Ahmad Advocates, learned defence counsel and perused the record.

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why you have not paid it. Arshad beseeched the accused that he is a poor man and cannot arrange Rs.2 lac as a 'Bhatta'. Upon which, Muhammad Raashid accused made a fire with his Kalashnikov which landed on the left side of chest of his brother Muhammad Arshad. His brother Muhammad Arshad fell down on the ground. Qamar Adnan alias Adnan made a fire with his Kalashnikov, which landed on the left leg of Muhammad Attique. Muhammad Attique also fell on the ground. He and others did not come forward due to fear of the accused persons. The accused persons fled away from the venue of occurrence, after the occurrence. He, Abdul Ghaffar alias Abbas and Abdul Sattar had witnessed the occurrence.

Abdul Ghaffar alias Abbas, while appearing as PW.2 deposed that on 02.01.2014, at 1.45 p.m., he along-with Abdul Sattar and Akhtar was present at Chowk near to his house. They were waiting for Muhammad Arshad, who and Muhammad Attique. They have to go to their field in connection with their work. Meanwhile, Attique and Arshad reached in the chowk. In the meantime, four persons riding on two motorcycles reached there. Muhammad Raashid accused (present in the court) armed with Kalashnikov was sitting behind one unknown motorcyclist and Muhammad Adnan Qamar armed with Kalashnikov was sitting as pillion of another motorcycle. Muhammad Raashid accused (present in the court) alighted from the motorcycle and intercepted Muhammad Arshad and asked him that why you have not arranged Rs.2 lac and why you have not paid it. Arshad asked him that he is a poor man and cannot arrange Rs.2 lac. Upon which, Muhammad Raashid accused made a fire with his Kalashnikov which landed on the left side of chest of Muhammad Arshad. Muhammad Arshad fell down on the ground. Qamar Adnan alias Adnan made a fire with his Kalashnikov, which landed on the left leg of Muhammad Attique. Muhammad Attique also fell on the ground. The accused persons fled away from the

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venue of occurrence, after the occurrence. Arshad deceased succumbed to the injury at the spot. They lifted Attique in a precarious condition and shifted him in hospital in injured condition by arranging a 'Dala.

33. **Ch. Saeed Ahmad and Mian Jamil Ahmad Advocates**, the learned defence counsel have challenged the credibility of eye witnesses by arguing that they have falsely implicated the accused in this case by substituting the real culprits. The learned defence counsel has raised the following point to discredit the testimony of the eye witnesses.

- i. That, FIR in this case was lodged with inordinate delay for which no plausible explanation has been furnished by the complainant. In view of it, the possibility of deliberation and consultation cannot be ruled out and the same cannot be used in corroboration of its maker.
- ii. That the witnesses are related inter-se and chance witnesses and as such their evidence cannot be termed to be of independent character and is of tainted nature and the evidence of one tainted witness cannot corroborate another tainted witness.
- iii. That, the presence of eye witnesses namely Muhammad Akhtar and Abdul Ghaffar alias Abbas is highly doubtful and inspite of indiscriminating firing by the accused persons (present in the court) and other two unknown accused persons, they did not receive single injury on their person.
- iv. That Muhammad Attique who was the alleged injured witness due to the fact that he would not support the false prosecution version and might be disclosed the true version, was not produced by the prosecution and was given up as being won over; that non-production of the material witness in this case, adverse inference in term of Article 129 (g) of Qanoon-e-Shahadat Order, 1984 can be drawn.
- v. That, no independent witness of the locality had been produced to support the eye witnesses, in this case.

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vi. That, there are material contradictions and discrepancies in the statements of the witnesses.

34. First of all, I will take up the factum of FIR Exh.P.A/1. It was lodged on the strength of complaint Exh.P.A of Muhammad Akhtar complainant at Police Station Balochani District Faisalabad, at about 3.15 p.m., which is at a distance of 5 KMs from the place of occurrence. The occurrence took place at about 1.45 p.m., in the Chowk of Chak No.58/RB, Faisalabad. PW.10 Ghulam Sarwar SI on learning the sad incident, reached to the place of occurrence at about 2.00 p.m.. The complainant met the investigating officer and submitted his written complaint Exh.P.A there and then. PW.10 Ghulam Sarwar SI sent the complaint to the Police Station through Naseer Ahmad 2119/HC for registration of FIR. On receipt of complaint Exh.P.A, PW.6 Muhammad Akram 722/HC Moharrar chalked out the FIR Exh.P.A/1, without any addition or omission on his part.

35. It is broad daylight occurrence. Two persons have been injured in the alleged occurrence. The immediate priority of the complainant and the PWs was to remove the injured to the hospital for his treatment and, therefore, he was taken there, whereas Muhammad Arshad died of the injury at the spot. The occurrence had taken place during day time. The accused persons were known to the complainant and the PWs prior to the occurrence and there could be no doubt about their identification. In the FIR, the names of the PWs, the names of the accused persons, the place of occurrence, the weapons of crime and the manner in which the occurrence was initiated and proceeded till its culmination have all been described lucidly, without any doubt. Muhammad Akhtar complainant, while appearing as PW.1 has fully owned the contents of the FIR and his evidence in the court is also consonance with the FIR and no material contradiction could be brought on the file between his evidence and the contents of complaint. Nothing is abnormal in the conduct of complainant Muhammad Akhtar (PW.1), who is real brother of the deceased. There is no room or occasion for deliberation in this case between the PWs and the complainant as there was no identification problem of the accused persons. Therefore, the prosecution has properly proved the lodging of

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the FIR and its contents on the file. Therefore, FIR Exh.P.A/1 can be validly used in corroboration of its maker.

36. Regarding the other objection of the learned counsel for the accused is concerned that the PW.1 Muhammad Akhtar is the real brother of the deceased, whereas PW.2 Abdul Ghaffar alias Abbas is the Chaacha Zad of Muhammad Arshad deceased and also inimical to the accused, therefore, their evidence could not be relied upon. Though the PWs fall in the category of interested witnesses yet they had no enmity with the accused, which could ~~motivate~~^{motivate} them to falsely implicate the accused persons with the alleged commission of offence. Moreover, mere relationship of witnesses with deceased is not ground unless and until their enmity with the accused persons is proved or it does not inspire confidence and is not convincing. It has been held by the Hon'ble Apex Court time and again that related witnesses sometime particularly in such like cases may be found very reliable because they on account of their relationship with the deceased could not let go the real culprit nor substitute an innocent person for them. I find support from *PLD 1983 SC (AJ&K) 211*, relevant observation is at page 218, which reads as under:-

"The evidence of PWs could not be rejected merely on the ground of relationship. Conviction can be based on the evidence of even interested witnesses provided of course it is otherwise of a convincing quality. It is indeed correct to say that while considering such evidence Court should be on its guard and would conduct the appraisal of the evidence with utmost care and caution. If on careful appraisal, it is found of a quality on which safe reliance could be placed it will not then be necessary to look for the further confirmatory evidence. Corroboration as observed in Muhammad Sharif Vs. The State, PLD '1978 SC (AJ&K) 146 is not to be insisted upon as a rule of law. In each case the evidence of a witness has to be evaluated on merits and if it rings true in the context and circumstances of the case free from any fault and un-contradicted by any cogent circumstances emerging from case it must be relied upon as the basis for conviction without corroboration."

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37. In the instant case, no enmity with the accused persons, even was suggested to the afore-said eye witnesses. The defence side, despite lengthy cross-examination could not succeed to bring on file any enmity between the present accused and the PWs. There is nothing on record, on the basis of which, it could be said that these eye witnesses were inimical to the accused persons. There is a complete ~~un~~^{ition} among ~~the~~ both of the eye witnesses regarding the place of occurrence, manner of occurrence and time of occurrence. There is no such contradiction between the afore-said witnesses on the basis of which, it could be said that they had not witnessed the occurrence. According to the prosecution witnesses, the fires made by the accused Raashid Naeem hit the deceased person on his left side of chest and the fires made by the accused Qamar Adnan hit on the left leg of PW Muhammad Attique (given up).

38. The venue of incident mentioned by the prosecution is not open to doubt as the blood stained earth as well as the crime empties were secured and collected from the place of occurrence. Both the PWs have narrated the circumstances in which they were present at the relevant time, at the place of occurrence and witnessed the occurrence. They have stated in an unambiguous manner, the event culminated at the place of occurrence. The presence of both of the PWs with the deceased at the awful time is quite natural. They have narrated the circumstances in an unequivocal manner, in which they were present at the place of occurrence and witnessed the occurrence. Both the PWs were subjected to exhaustive cross-examination but nothing could be extracted except few minor contradictions, having no substantial bearing of the merits of the case and can be ignored safely. Even otherwise, no reason could be furnished by the defence that why the PWs had implicated the accused for committing this cold blooded murder, without any grouse or grudge, which was even never alleged. The presence of the eye witnesses at the spot at the relevant time has not seriously been contested nor shattered by the defence. As such, it can safely be said that they are natural witnesses of the occurrence. The eye witness account, furnished by PWs is confidence inspiring, straight forward, free from any dishonest exaggeration and worthy of credence, thus can safely and reliably be accepted.

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39. It is next contention of the learned defence counsel that the presence of two eye witnesses namely Muhammad Akhtar and Abdul Ghaffar alias Abbas is highly doubtful and inspite of firing by the accused persons (present in the court), they did not receive any injury is without any substance. It is not the first case of its kind, wherein some of persons, who were under attack by the opposite party, did not receive any firearm injury, whereas other received one or more than one firearm injuries. There cannot be a presumption or rule that all the persons over under attack from firearm ought to have received injuries and the mere fact that some of them did not receive injuries would not establish their presence at the place and time of incident doubtful. This contention is also devoid of force and is repelled. In support of the above proposition, judgment in the case of *Mehboob Sultan and two others Vs. The State, 2001 SCMR 163* is referred for guidance.

40. The next contention of the learned defence counsel that Muhammad Attique, alleged injured who was the material witness and not produced by the prosecution and was given up as being won over; that non-production of PW Muhammad Attique (injured witness) in this case adverse inference in term of Article 129 (g) of Qanoon-e-Shahadat Order, 1984 can be drawn that if he was produced, he would have not supported the prosecution version has no force and substance. As a rule, the witnesses are weighed as per their testimony and not numbered i.e. the quality of testimony of the witnesses has to be judged not the quantity. Under Article 17 of Qanoon-e-Shahadat Order, 1984 no particular number of witnesses is required for the proof on a murder charge. Volume and weight of the evidence may be considered together but if there is a conflict between the two, the quantity will certainly give weigh to quality. Moreover non-production of Muhammad Attique PW (given up) in this case, the adverse inference in term of Article 129 of Qanoon-e-Shahadat Order 1984 cannot be drawn for the reason that it is not established on the record that if he might have produced, he would have deposed against the prosecution as he on the first day was reluctant to appear against the accused due to their fear as stated by PW.10 Ghulam Sarwar SI. Secondly, in the presence of direct evidence of PW.1 Muhammad Akhtar and PW.2 Abdul Ghaffar alias Abbas, his evidence was not

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complainant Muhammad Akhtar PW.1 is the real brother of Muhammad Arshad deceased and it never happened that brother in whose presence his real brother had been killed will allow the real culprit to go scot-free and will involve an innocent person in the commission of offence. It may also be seen that it is the plea of the accused persons that perhaps they had been involved in this case falsely, to substantiate the pleas, they have failed to bring on record any convincing evidence except making a suggestion.

43. The next contention of the learned defence counsel is that there is inordinate delay of one day in post mortem examination of deceased Muhammad Arshad, which reveals that the time was spent in deliberation and consultation. I am not agree with the learned defence counsel for the reason that the occurrence took place at about 1:45 p.m. PW.10 Ghulam Sarwar SI/Investigating Officer, on learning the said incident, reached at the place of occurrence at about 2.00 p.m. He met the complainant, endorsed the complaint and sent the same immediately to the police station for recording the FIR. He dispatched the dead body of the deceased to the mortuary through constable for its autopsy. Under the circumstances, it cannot be said that delay was occasioned due to the negligence of the complainant or to spend a time for deliberation. The delay, if any, it was occurred due to negligence of inefficient Investigating Officer. Thus, in my opinion, the delay in the post mortem examination in the instant case is not fatal for the prosecution and no adverse inference can be drawn.

44. As regard the contention of learned defence counsel that there are contradictions in the statements of eye-witnesses. It is settled principle of law that minor contradictions or improvements in the statement of witnesses are to be overlooked. However, only material contradictions are to be considered. The learned defence counsel has failed to point out any material contradictions, omissions and improvements. As mentioned above, the statement of eye witnesses were not only corroborative by medical evidence but also affirmative with the motive as set up in the FIR. In such situation, prosecution has successfully established the guilt of accused persons.

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MOTIVE

45. In the category of motive, the prosecution produced PW.1 Muhammad Akhtar (complainant), PW.2 Abdul Ghaffar alias Abbas, PW.12 Shehzad Qamar and PW.13 Muhammad Saleem, in support of its version. The gist of their evidence to the extent of motive is reproduced as under:-

Muhammad Akhtar Allah Yar (complainant), while appearing as PW.1 deposed that the motive behind the occurrence is that the accused Muhammad Raashid and Qamar Adnan alias Adnan demanded 'Bhatta' from his brother Muhammad Arshad. On his refusal, they committed his murder. The accused persons are hardened criminals and desperate persons. They are drug paddlers and involved in nefarious criminal activities.

Abdul Ghaffar alias Abbas, while appearing as PW.2 deposed that the motive behind the occurrence is that the accused Muhammad Raashid and Qamar Adnan alias Adnan demanded 'Bhatta' from Muhammad Arshad. On his refusal, they committed his murder. The accused persons are notorious Bhatta Khor and involved in drug business. The accused persons murdered Muhammad Arshad on his refusal to pay Bhatta and to create a fear in the suburb.

Shehzad Qamar, while appearing as PW.12 deposed that on 22.12.2013, at about 4.00 p.m., he was coming to his house from Shahkot and going to his home on his personal car. When he reached near to Primary School, situated in Chowk of their Chak No.58/RB, he saw accused persons Raashid, Adnan (present in the court) and deceased Arshad were standing there. He alighted from his car and went towards the accused and the deceased. He heard that the accused Raashid and Adnan were demanding Rs.2 lac as 'Bhatta' from Arshad (deceased). The deceased beseeched the accused that he is a poor man and not able to pay Rs.2 lac as Bhatta. The accused persons went away while extending the threat of dire consequences

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to the deceased Arshad. He narrated this fact to Akhtar brother of Arshad deceased at evening time. This incident i.e. demand of Bhatta was also seen by Saleem s/o Sharif. He got recorded his statement U/S 161 of Cr.P.C.

Muhammad Saleem, while appearing as PW.13 deposed that about 10-11 days prior to the murder of Muhammad Arshad deceased, he was coming from Jhuggian village and going towards his home. At about 4.00 p.m., when he reached in the chowk of Boys School of the village, the accused persons Raashid and Adnan (present in the court) were demanding Rs.2 lac as 'Bhatta' from Arshad (deceased) in his presence and presence of Qamar Shehzad. The deceased beseeched the accused that he is a poor man and cannot pay. The accused persons Raashid and Adnan went away.

46. The learned defence counsel contended that the motive as put forward by the prosecution against the accused persons is too remote and feeble. He further argued that the motive alleged by the prosecution is false and frivolous same otherwise was not proved. In the motive part the legal requirement that, the extortion, (Bhatta) if claimed was without intentionally putting the deceased in fear of injury to him and thereafter, dishonestly induced him so put in fear to pay 'Bhatta' is totally missing, so the motive on the basis of which, the case in hand was tried by this court lacks jurisdiction. The PWs produced by the prosecution, in this regard were examined 6 ½ months after the alleged occurrence and during their examination they tried to improve their statements but were failed. No evidence in this respect of striking of terror or creation of sense of fear and insecurity in the people was produced by the prosecution. He further argued that the ingredient of extortion of money as defined in section 6(2)(k) of Anti-Terrorism Act, 1997 are also not made out from the evidence, available on record.

47. After careful consideration and meticulous examination of the available record sufficient to say that accused had no previous enmity or dispute with the PW.1 Muhammad Akhtar and PW.2 Abdul Ghaffar alias Abbas. Both the PWs, thus, bore no malice or animus against the accused persons which could

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serve as basis for ascribing the false motive against the accused persons. Even otherwise, no other plausible reason or motive was discernible from facts and circumstances of the case other than extortion of money. Circumstances under which occurrence had taken place would not suggest that the same did not take place in the manner as stated by the witnesses. The prosecution witnesses have no previous history of enmity, grudge or malice against the accused to suggest that they had a motive for false implication of the accused persons in this heinous offence. The evidence of both the PWs regarding motive is not only consistent but is also in conformity with the motive, therefore, I have no reason to disbelieve the prosecution evidence and in my opinion, the evidence is sufficient to prove that prior to the occurrence the accused demanded 'Bhatta' from the deceased Muhammad Arshad of which accused took offence and vowed at that time to teach a lesson to Muhammad Arshad deceased. Therefore, the motive in this case stands proved.

ABSCONSION

48. The occurrence allegedly took place on 02.01.2014 at 1.45 p.m. in the Chowk of Chak No.58/RB, District Faisalabad. The accused Raashid Naeem and Qamar Adnan were already arrested in case FIR No.99/2015, dated 15.02.2015, U/Ss 392/411 PPC, Police Station Khurrianwala and were produced in the court of learned Area Magistrate, Jaranwala. PW.11 Muhammad Iqbal Inspector joined the accused persons in the investigation of the instant case with the permission of learned Judicial Magistrate. On 16.03.2015, he made the formal arrest of accused persons Raashid Naeem and Qamar Adnan in this case. Initially challan against the accused persons were submitted and proceedings U/S 512 of Cr.P.C. were undertaken. Thus the accused persons remained absconders for a period of about one year and 2½ months.

49. Regarding absconcion of the accused persons, the prosecution has produced Shoukat Ali constable as PW.9 and Ghulam Sarwar SI/investigating officer as PW.10. On 06.03.2014, Ghulam Sarwar SI PW.10 moved application Exh.P.Q for issuance of non-bailable warrants of arrest against the accused persons Raashid Naeem and Qamar Adnan Ghulam, which were accordingly

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issued. The non-bailable warrants of arrest of accused persons Raashid Naeem and Qamar Adnan Exh.P.L and Exh.P.M, respectively were entrusted to PW.9 Shoukat Ali 2116/C and the same could not be executed and returned with the reports Exh.P.L/1 and Exh.P.M/1, respectively. PW.10 moved application Exh.P.R for issuance of proclamations against accused Exh.P.N and Exh.P.O against the accused persons Rashid Naeem and Qamar Adnan, which were accordingly issued and were also entrusted to PW.9 Shoukat Ali 2116/C, who returned after due service with his reports Exh.P.N/1 and Exh.P.O/1. It is a fact proved judicially on the file that the accused persons were not earlier arrested and their warrants of arrest were issued and then proceedings U/S 512 of Cr.P.C. were undertaken and the proclamations as well as perpetual warrants of their arrest were also issued. All these facts sufficiently proved that the accused persons remained absconders for almost one year and 2½ months and their said absconson weighs heavily against them and is a factor which is corroborative of the remaining prosecution evidence against Raashid Naeem and Qamar Adnan accused.

MEDICAL EVIDENCE.

50. According to the prosecution version, Muhammad Arshad and Muhammad Attique had received firearm shot injuries. Muhammad Arshad succumbed to the firearm injury at the spot whereas Muhammad Attique was shifted to the hospital for treatment. Dr. Sadaqat Ali, Medical Officer, appeared as PW.3 to prove the fact that Muhammad Arshad deceased had died with fire shot injury and that Muhammad Attique injured PW had received fire shot injury on his person. Nothing on the file could be brought to show that the deceased and injured have not received the said injuries. Thus the medical evidence, which is of independent nature is supportive and corroborative of the ocular version.

RECOVERY EVIDENCE

51. The prosecution has tried to prove the recovery of Kalashnikov from the accused Muhammad Adnan and Raashid Naeem which took place from the residential room of the house of accused Muhammad Adnan, situated in Chak No.52/RB and in this respect the prosecution has produced PW.1 Muhammad Akhtar and PW.2 Abdul Ghaffar alias Abbas who stated that on 29.03.2015,

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Qamar Adnan accused during interrogation made disclosure and led to the recovery of Kalashnikov along-with magazine and 28 live bullets, which Muhammad Iqbal Inspector/investigating officer took into possession vide recovery memo Exh.P.B and Raashid Naeem accused during interrogation made disclosure and led to the recovery of Kalashnikov along-with two magazine and 54 live bullets, which Muhammad Iqbal Inspector/investigating officer took into possession vide recovery memo Exh.P.C. Muhammad Akhtar and Abdul Ghaffar alias Abbas had attested these memos. Crime empties were taken into possession from the place of occurrence and same were sent to the office of Forensic Science Laboratory, Lahore. The recovered Kalashnikovs were later on sent to the office of Forensic Science Agency, Lahore but the same were not found wedged with the crime empties. It is improbable that an iron box of the accused persons containing their Kalashnikovs remained intact and preserved in the residential room for 1½ year while they were disappeared and having a sufficient time to throw and destroy to disappear the evidence. Therefore, the recoveries of Kalashnikovs allegedly effected from the accused firstly does not appeal to my mind and secondly is of no help and support to the prosecution evidence in absence of negative report from the office of Forensic Science Agency and as such is of no consequences.

52. The prosecution, in this case, has fully proved the motive against the accused. The eye witnesses are independent, natural and reliable. They fully support each other. The medical evidence is also consistent with the ocular testimony. The absconson of the accused persons almost one year and 2½ months also weighs heavily against them. All this evidence fully established the prosecution case against the accused Raashid Naeem and Qamar Adnan. Commission of offence of Qatl-e-Amd at the hand of Raashid Naeem and Qamar Adnan accused, in furtherance of their common intention, is proved beyond any shadow of doubt. Certain minor discrepancies in the prosecution evidence were pointed out but the same are not fatal for the prosecution case. The extortion of money (Bhatta) was made a scheduled offence, to be triable by this court. The extortion of money or demand of Bhatta of course to instill fear and harassment in

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the section of the society. Evidence for Hudd is not available in this case. Therefore, they are liable to be punished under 'Tazir'.

53. So far as the quantum of punishment is concerned, no mitigating circumstances have been brought forward in the case of Raashid Naeem. He is, therefore, liable to the award of maximum punishment. Qamar Adnan accused, although, was armed but he did not cause injury to deceased, therefore, he is liable to be lesser punishment.

54. The upshot of my discussion is that the prosecution has proved his case against the accused persons beyond any shadow of doubt. Therefore, I, convict the accused persons Raashid Naeem and Qamar Adnan as under:-

Accused Raashid Naeem

1. U/S 302(b) read with section 34 of PPC for the murder of Muhammad Arshad and is sentenced to death. He is also ordered to pay compensation in the sum of Rs.5 lac U/S 544-A of Cr.P.C., to be apportioned by the legal heirs of the deceased, if realized, failing which to undergo SI for 6 months.
2. U/S 7 (a) of Anti-Terrorism Act, 1997 read with section 34 of PPC for the murder of Muhammad Arshad and is sentenced to death with fine in the sum of Rs.5 lac and in case of default, to undergo SI for 1 year.
3. U/S 386 read with section 34 of PPC and is sentenced to 10 years R.I. with fine in the sum of Rs.2 lac and in case of default, to undergo SI for 6 months.
4. U/S 21-L of Anti-Terrorism Act, 1997 and is sentenced to 5 years R.I with fine in the sum of Rs.1 lac and in case of default to undergo SI for 4 months.

Accused Qamar Adnan

1. U/S 302(b) read with section 34 of PPC for the murder of Muhammad Arshad and is sentenced to life imprisonment. He is also ordered to pay compensation in the sum of Rs.5 lac U/S 544-A of Cr.P.C., to be apportioned by the legal heirs of the deceased, if realized, failing which to undergo SI for 6 months.

*C/o Engr
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2. U/S 7 (a) of Anti-Terrorism Act, 1997 read with section 34 of PPC for the murder of Muhammad Arshad and is sentenced to life imprisonment with fine in the sum of Rs.5 lac and in case of default, to undergo SI for 1 year.
3. U/S 386 read with section 34 of PPC and is sentenced to 10 years R.I. with fine in the sum of Rs.2 lac and in case of default, to undergo SI for 6 months.
4. U/S 21-L of Anti-Terrorism Act, 1997 and is sentenced to 5 years R.I. with fine in the sum of Rs.1 lac and in case of default to undergo SI for 4 months.
55. The convict Raashid Naeem be hanged by the neck till he be dead. The sentence of death will be on two counts. The sentences for the convict Qamar Adnan are to run concurrently. The benefit of section 382-B of Cr.P.C. be allowed to him. Reference U/S 374 of Cr.P.C. for confirmation of the death sentences of convict Raashid Naeem be submitted to the Hon'ble Lahore High Court, Lahore, forthwith. Copy of the judgment be supplied to the convicts, gratis, so that they are able to file the appeal within 15 days. The convicts Raashid Naeem and Qamar Adnan are in custody. They be sent back to jail to serve out their respective sentences. All the case property except the Kalashnikovs, recovered from the convicts be kept intact, till the decision of the appeal. The Kalashnikovs along-with magazines and bullets, recovered from both the convicts, are also the case properties of cases U/S 13 of Arms Ordinance and are left to the judgments of learned Haqa Judicial Magistrate. File be consigned to the record room after necessary completion

Announced:
15.06.2015

06 Enry v 15/06
RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.

Certified that this judgment of twenty eight (28) pages has been dictated, read, corrected and signed by me.

Announced:
15.06.2015

06 Enry v 15/06
RAJA PERVEZ AKHTAR
(DISTRICT & SESSIONS JUDGE)
JUDGE, ANTI-TERRORISM COURT,
FAISALABAD.



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IN THE LAHORE HIGH COURT, LAHORE

ON PETITION	
Filed on 22/6/15 A.M.	Date 11 A.M.
D. No. 66526	22/6/15
Assistant Registrar (Criminal)	

Criminal appeal No. 1255 /2015

*D.B
ATAK
Death*

District	Date of filing of appeal	Whether filed by the appellant in person or by his counsel or through agent	Stamp on appeal
Faisalabad	20.6.2015	Syed IJAZ HUSSAIN SHAH Advocate High Court 13-Fane Road, Lahore	NIL

Raashid Naeem son of Shameem ud Din caste Gujjar, resident of Chak No.51/RB, Tehsil Shahkot, Distt. Nankana Sahib. Now confined in Central Jail Faisalabad.

APPELLANT

V E R S U S

1. The State.

2. Muhammad Akhtar son of Ghulam Muhammad caste Gujjar, resident of Chak NO.58/RB Tehsil Jaranwala, Distt. Faisalabad.

RESPONDENTS

CRIMINAL APPEAL UNDER SECTION 25(4-A) ANTI TERRORISM ACT 1997 AGAINST THE JUDGMENT DATED 15.6.2015 PASSED BY MR. RAJA PERVEZ AKHTAR (D&SJ) / ANTI TERRORISM COURT FAISALABAD

Respectfully Sheet:

1. That the petitioner was booked in case

FIR No.04/2014 dated 02.01.2014 under

Section 302, 324, 386, 34 PPC and 7

ATA 1997 Police Station Balochani

District Faisalabad on the allegation
that the appellant and others are that
the appellant and others demanded
Bhata from the brother of the
complainant and when the demand is not
fulfilled then they murdered the
brother of the complainant.

2. That after completion of investigation
the challan was submitted and after
framing the charges, the learned trial
Court proceeded against the appellant
was awarded sentence as under:

1. Under Section 302(b) read with Section
34 PPC for murder of Muhammad Arshad and
is sentenced to death. He is also
ordered to pay compensation in the sum
of Rs.5 lacs U/s 544A of Cr.P.C to be
apportioned by legal heirs of the

deceased, if realized, failing which to undergo S.I. for 6 months.

2. U/s 7(a) of Anti Terrorism Act 1997 read with Section 34 PPC for murder of Muhammad Arshad and is sentenced to death with fine in the sum of Rs.5 Lack and in case of default, to undergo SI for 1 year.

3. U/s 386 read with Section 34 of PPC and is sentenced to 10 years R.I. with fine in the sum of Rs.2/ lac and in case of default to undergo SI for 6 months.

4. U/s 21-L of Anti Terrorism Act 1997 and is sentenced to 5 years R.I. with fine in the sum of Rs.1 lac and in case of default, to undergo SI for 4 months.

3. That the appellant seeks kind indulgence of this Hon'ble Court against the judgment dated 15.6.2015 inter alia on the following:-

GROUNDS

- a) That the impugned judgment dated 15.6.2015 is totally against the facts and circumstances of the case.
- b) That the learned trial court relied upon the interested and contradicting evidence and awarded maximum punishment through impugned judgment.
- c) That as per contents of FIR and material available on record TATA does not attract and the trial Court wrongly awarded sentence beyond its jurisdiction.
- d) That the impugned judgment is harsh in nature in all respect.
- e) That the trial Court mere on presumptions and supposition convicted the appellant.

It is therefore, most humbly prayed that the impugned judgment dated 15.6.2015 may very kindly be set aside and the appellant may very kindly be

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acquitted from the charge in the interest of justice and equity.

Any other relief which this Hon'ble Court deems fit and proper may also be awarded.

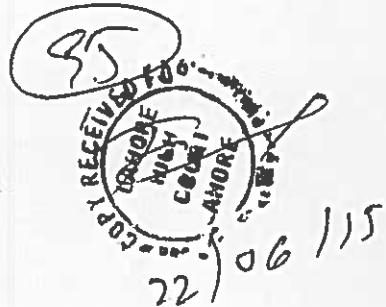
APPELLANT

Through

Syed Ijaz Hussain Shah
SYED IJAZ HUSSAIN SHAH
Advocate High Court
C.C. No. 21673
13-Fane Road, Lahore

CERTIFICATE: As per instructions, received from the client, this is first Criminal Appeal on the subject matter.

Ijaz Hussain Shah
ADVOCATE



اے گز بیٹ: PA/1

C.S.R. 52-T-2015

ابتدائی اطلاعی رپورٹ نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 154 مجموع ضابطہ فوجداری

صلح فیصل آباد تھانہ بلوچنی مقدمہ 4

تاریخ و وقت وقوعہ 14-1-2، وقت 1/45 بجے دن۔

تاریخ و وقت رپورٹ	1
نام و سکونت اطلاع دھندرہ یا مستغیث	2
مخبر کیفیت جرم (معدفعہ) و مال اگر کچھ کھوایا گیا ہے	3
جائے وقوعہ و فاصلہ تھانہ سے اور سمت	4
کاروائی متعلقہ تفتیش اگر اطلاع درج کرنے میں کچھ توقف ہوا تو اس کی وجہ بیان کی جائے۔	5
تھانہ سے روائی کی تاریخ اور وقت	6

(دستخط اردو) محمد اکرم 722/HC عہدہ حمر

تفصیل کے لئے اے گز بیٹ: PA دیکھیں۔

Ex:PA

بخدمت جناب S.H.O صاحب تھانہ بلوچی تحصیل جزاںوالہ ضلع فیصل آباد۔

درخواست برائے اندر ارج مقدمہ برخلاف

1- محمد راشد ولد شیم قوم گجر سکنہ 51 رب تحصیل شاہ کوٹ ضلع ننگانہ

صاحب مسلح کلاشنکوف۔

2- محمد عدنان عرف داں پہلوان ولد نذر حسین قوم آرائیں سکنہ 52 رب

باواچک مسلح کلاشنکوف۔

3- کس نامعلوم جو موڑ سائکل چلا رہے تھے۔

جناب عالی!

گزارش ہے کہ میں چک نمبر 58 رب کا سکونتی ہوں اور

زمیندارہ کرتا ہوں امروز قریب 1/45 بجے دن میں محض عبد الغفار

عرف عباس ولد لال دین 2- عبد الاستار ولد محمد اصغر اقوام گجر سکنہ دیہہ

عباس کے گھر کے قریب چوک میں کھڑے محمد ارشد برادرم

Ex:PA

(جاری)

اور محمد عتیق ولد فقیر حسین ذات راجپوت بھٹی سکنہ دیہہ کا انتظار کر رہے

تھے چونکہ اپنے رقبہ میں کام کے سلسلہ میں جانا تھا جب محمد راشد برادرم۔

محمد عتیق گھر سے نکل کر بازار میں آگئے تو اسی اثناء میں دو موڑ سائیکلوں پر

سوار چار اشخاص آگئے دونوں موڑ سائیکلوں کو نامعلوم ملزمان چار ہے تھے

ایک کے پیچھے محمد راشد ولد شیم مسلح کلاشنکوف اور دوسرے موڑ سائیکل

والے کے پیچھے محمد عدنان عرف دان مسلح کلاشنکوف بیٹھے تھے جنہوں نے

آتے ہی نیچے اُتر کر برادرم محمد راشد کو روک لیا۔ محمد راشد ملزم نے برادرم

سے کہا کہ تم سے دولا کھروپے کے بندوبست کا کہا تھا۔ مگر تم نے ابھی

تک رقم نہ پہنچائی ہے برادرم نے کہا کہ میں غریب آدمی ہوں رقم کا

بندوبست نہ کرسکا ہوں۔ محمد راشد طیش میں آگیا۔ جس نے سیدھا فائز

کلاشنکوف برادرم پر کیا جو محمد ارشد برادرم کو سامنے چھاتی پر باسیں جانب

لگا۔ محمد عدنان نے فائر کلاشنکوف کیا جو محمد عقیق کو باسیں ٹانگ پر لگا۔

دونوں زخمی ہو کر گڑپے نامعلوم ملزمان ہر دو محمد راشد اور محمد عدنان عرف

دان ملزمان کو اپنی اپنی موڑ سائیکل پر بیٹھا کر بھاگ گئے۔ ہم بخوبی جان

نzdیک نہ گئے۔ ملزمان کے جانے کے بعد ہم نے بھاگ کر مصروفان کو

سنبحالہ تو محمد ارشد برادرم اسی فائر لگنے سے موقع پر ہی جاں بحق ہو گیا تھا

محمد عقیق جو مصروف ہو گیا تھا کو مصروفی حالت میں سواری گاڑی ہسپتال

پہنچایا۔ جو الائیڈ ہسپتال زیر علاج ہے۔ وجہ عنادیہ ہے کہ محمد راشد وغیرہ

برادرم سے بھتہ کا مطالبہ کرتے تھے۔ برادرم بھتہ کی رقم نہ دے سکا۔

تو ملزمان نے ہم صلاح مشورہ ہو کر فائر ٹانگ کر کے برادرم کو ناحق قتل اور

Ex:PA

(جاری)

محمد عتیق کو ناحق مضروب کیا ہے۔ ملزمان کے خلاف مقدمہ درج کر کے
قرار واقعی سزا دلوائی جاوے۔

عرض
محمد اختر ولد غلام محمد قوم گجر سکنہ 58 رب رتہ جو سیہ تھصیل جڑانوالہ
(دستخط اردو و نشان انگوٹھا)

0344-7945189

کاروائی پولیس: امروز اس وقت من SI معہ اللہ رکھا C/604، محمد اسلام

4152/C - نصیر احمد HC/2119 پولیس ملzman کے اطلاع و قوعہ ہذا

پا کر جائے موقع پر پہنچا ہوں کہ سائل محمد اختر نے درخواست ہذا میرے

پیش کی ہے۔ ملاحظہ درخواست کیا گیا ہے درخواست مضمون و حالات

واقعات سے سردست صورت جرم گا PPC 302/34/324

ارتكاب پایا جاتا ہے الہذا بذریعہ استغاثہ و بحتم ذکور مرتب کر کے بغرض

Ex:PA

(جاری)

اندرج مقدمہ استغاثہ ہذا بست نصیر احمد HC/2119 ارسال تھا

ہے لہذا اندرج مقدمہ تفییش میرے عقب نقل مثل پولیس بھجوائی جائے

نیز پیش رپورٹ ہائے افسران بالا بھجوائی جائیں میں موقع پر مصروف

تفییش ہوں۔

(دستخط اردو) غلام سرور SI/INV تھانہ بلوچنی

02-01-2014

از بحد رقبہ چک 58 رب، بوقت 2/45 بجے دن

جناب عالی!

گزارش ہے کہ مقدمہ نمبر 4 مورخہ 14-01-02 جم 302

PPC 324/34 تھانہ بلوچنی درج رجسٹر ہوا۔

(دستخط اردو) محمد اکرم محرر PS بلوچنی

02-01-2014

Ex:PA/1

از تھانہ: حسب آمد تحریر استغاثہ بمضمون بالا پر پورٹ ابتدائی اطلاع ہذا

بجرم مذکور مرتب کی جا کر نقل مثل پولیس بمراد تفییش بدست ارندہ نزد

فرسندہ SI بھوائی جارہی ہے نیز پیشل رپورٹ بخدمت افسران مجاز

مرسل کی جارہی ہیں پر ت چہارم حوالے مدعی کیا گیا ہے۔

(دستخط اردو) محمد اکرم محرر PS بلوچنی

02-01-2014

صلح فہرست آباد

سازمان نسلیتی

عین افتشار کارڈ ریچہ مم افتشار و لفظ مم ڈرم گلری کانٹہ میں 58 روپ

قدر فہرست 4 حرف $\frac{1}{4}$ د فہم $\frac{3.86}{34} \cdot \frac{3.2}{34}$ گلری کانٹہ میں

سالہ شناخت 100 روپ 15/2 بھا 29 $\frac{3}{15}$ ڈا 13/2 بھا 29 $\frac{3}{15}$ ڈا 100 روپی گلری کانٹہ میں

عین افتشار کارڈ ریچہ مم افتشار کانٹہ میں 25 روپ

قدر فہرست 4 حرف $\frac{1}{4}$ د فہم 28 گلری کانٹہ میں

نفر لامسا

روپی گلری کارڈ ریچہ مم افتشار کانٹہ میں 25 روپ
کے بعد ایک ایک کارڈ کے تینی بھائیں، بعد از تو یہ ایک بھائی کے درمیں دو یہ میں
ولہاگھر جسم کو ہاگھر کر کے تینی بھائیں، بعد از تو یہ ایک بھائی کے درمیں دو یہ میں
دین چھیڑا دیں تھیں اسی کے بعد کارڈ کارڈ کانٹہ میں بھر اور پہاڑی کے گلے گلے کے میں
سر کارڈ میں ایک ایک کانٹہ کی نشانہ دیکھ کر کے صدر درداڑہ میں نہ رکھا
والیں ہیں۔ پھر یہ دلواریں کو پہنچ کے سلطنت کو کیا درد انہوں کو کوئی غصہ ربانی اور ان فرخ
دین دیں ہیں۔ دیگری دلواریں کو پہنچ کوئی بسیں ہیں میں نہیں ایک دیہت خود کو کوئی
کہ مکلا شکل میں یہ چشم فرخ کیں ہیں۔ مکلا شکل کی دلیل یہ ہے کہ پنج دلکشیں
آپسے آگاہ ہوں۔ باڑی کی چھٹی لئے فہرست گلری کا ہوا۔ ملکنگا کوئی جم سائنس دیپرا ٹھوٹ یہ گل
خانی۔ یہ ملکنگا لود تدوڑ منٹھی یہ گلری لاشن گلری کے ساتھ سائنس دیپرا ٹھوٹ کی دیر
ان لود کرنے کے لیے ملکنگا ہے 25 گلری کانٹہ میں ڈرم ٹھوٹ۔ مکلا شکل کا پاک
پتھر فہرست 3 ZA عدد میں پتھار کیے گئے۔ مکلا شکل کا پتھر فہرست گلری کی دیر

ضخیمی ہے اسی میں ہے۔ قدر یہ گلری کے لئے فہرست کیے گئے۔

29. 3 - 15 IN 9

گلری: چم افتشار کانٹہ مم گلری کانٹہ 58 روپ

کانٹہ افتشار کانٹہ مم گلری کانٹہ 58 روپ

کانٹہ 58 روپ

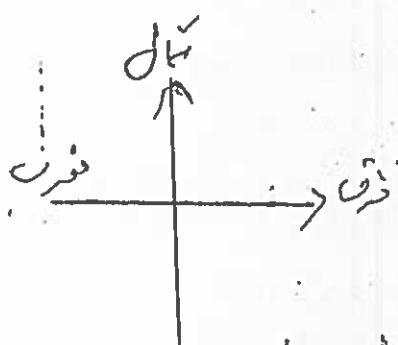
کانٹہ 58 روپ

تبلیغات

عند مسح طاير لغير مطر اخذت دلالة على قدر ٢٣٧٥ ميل متر بـ ٥٢ ربع
جدر طبقة ٤ جنوب $\frac{386}{34}$ $\frac{302}{332}$ قدم ٢ $\frac{1}{14}$
مدة على قدر $\frac{100}{15}$ ميل $\frac{3}{15}$ ١٣-٢٨ قدم $\frac{15}{15}$ ميل متر بـ ٥٢ ربع
يام . قدرها ناحية نهر زير عدن و مارسون ميل بـ ٥٢ ربع

لَمْ يَرَهُ وَلَمْ يَنْتَهِ نَلْيَانِي بِدِينِ سَيِّدِي مُحَمَّدٍ

W 32 4015



کھان رہائی نہیں والا زوارِ حق بس

مکتبہ مولانا نوری علی

مکتبہ باری رینگنگ

مکانہ ربانی ۷۰۰

١	مکانیزم	نام	جنس
٢	نام	جنس	جنس
٣	نام	جنس	جنس

سکھیں ملے ایک دن

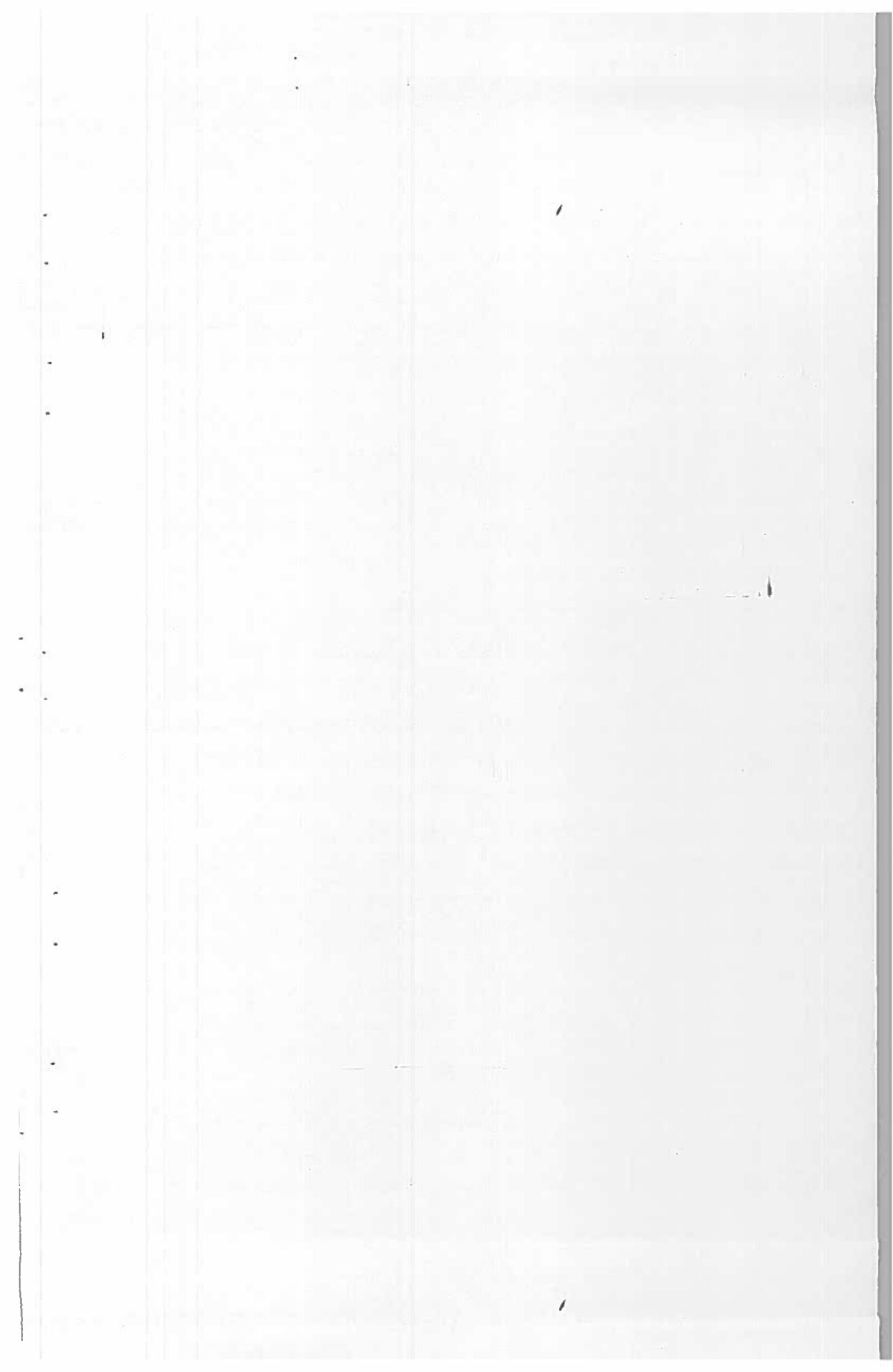
دھناری رہائی جبا میں ولہنگھر لئے
اور اپنے۔

شناختے اسیاں، نہ کوہ سامنے میں تھے بلکہ دوسرے سعف آسیں ہیں جسے قصرِ خان ملک
گھنٹا ریڈ یا گلہ بھانی تے شناختیں کرتے ہیں کیونکہ وہ مکار عصفتی ہے جو لیکن اور کوئی نہ
جو لکھا تو کہنے پر 28 گھنیں کرنا ہے بڑا مکاری بھاگا ہاریں اپنے اندھاں پر کوئی
بخار کے لیے کافی نہ ہے لیکن وہ دیزیں ہے مکار عصفتی جو فتح کی میراث نہ لے جو کھلاں کر دیں

EX:PB/1

قریب ۱۳۰۰ متر قدره از مدنی زیر دریاچه بوده این رئیس
گردشگری آنکه این کوه از کوهان برآمده باشد فخر دیده جایز است

Observe the following
29.3.15-29.3.



EX:PC

صلح متعارف آناء

حکمانہ بلوچستان

عمر ۵۸ سال کا اور ریم سیر افسوس و لد عزم صورت گئی جو ۵۸ روپے

حدود کے نمبر ۴ حوصلہ $\frac{386}{34} - \frac{302}{324}$ میں مطابق ۷ATA میں مطابق بلوچستان
ستکنہ میں ۱۳.۲-B میں ۱۳.۲-B میں مطابق ۱۰ NO ۱۳.۲-B میں مطابق بلوچستان
بیان کیا گیا۔ راشد نصیم الوداع صورت گئی جو ۱۵ روپے
راشد نصیم الوداع صورت گئی جو ۱۵ روپے

فرد تقبیل مطابق ملک متناقض ہے تو ملبہ

۵۶ گروپس از زندگی ملک متناقض ہے۔

بریورڈ گروپس کی دلیل راشد نصیم میں میں فنا ریس گاہ جانی تے لعنہ قشیر در داری
از پر ایجمنگ کیے جو سے ملک متناقض ہے کیا پیدا ہوں کہ ملک متناقض ہے جیسے واقعہ حدود کے
میں فاکٹری کو کہے تم اپنے تصور کو فتح کیا ہے۔ بعد ازاں دفعہ چھتیں
ولاد از دفعہ اڑائیں کہتے ۲ دفعہ کے حکام گروپس کی جھٹکا ہے تھی جس سے نہیں کوئی
سیر کام کر سکتا تھا۔ براحتی پوچھ دیا جس کے حکام اسکی براہ راست کے ہمہ افراد
کے سچے نہیں تھے اور گروپس از زندگی میں ایسے ملک کی نہیں تھے کہ کوئی
ذمہ دار کان ملک میں تھا۔ اور حکام کے ذمہ دار عزیز دیوار سماں تھے کہ تو تصرف کی عزیز دیوار سماں تھے
پڑے یوں بیسیں آئیں کہ نہیں کوئی کھول کر کیا جسے یہ سچے ملک متناقض بھی کہی جائی پھر باپور میں
۷۷ HK 1975 غیر کوئی۔ بیٹھے ملک ایڈن کنسرٹویریو گرین گروپس کی
بیرونی گاہ میں۔ دلی ساوتھ میں کار پائیں دھیانیں لوٹ کر تارہ جو دن لوٹی کرنے پر ۲۷
کی ۶۴ گروپس از زندگی میں ایک دیوار سماں تھے کہ تو تصرف کی عزیز دیوار سماں تھے
ملک متناقض۔ گروپس کا ۱ پارٹی لشکر گرد کے ملک متناقض ہے جو ملک متناقض ہے اور گروپس
در قبیلہ پوچھ دیں یعنی۔ فرد گروپس گروپس نے ملک متناقض کر دیا ہے / ملک متناقض

29-3-15

جس کی وجہ سے ۵۸ روپے
جس کی وجہ سے ۱۵ روپے

جس کی وجہ سے ۱۵ روپے

(A318)

Ex:PD

صلحہ نہیں آباد

عینہ میر کارنڈر لیم جمن افہر و لار فلم جمن فلم جمن مکانی ۵۰ بیب
صودھ بیب $\frac{4}{14}$ حصہ $\frac{386}{34} \cdot \frac{802}{324} \text{ مم}^2$ ۷ATA ۷ ماہہ طوفی

پیدا کی راشد نعم ولہ شام الابن قم گجراتی ۱۵ بیب

فریضیو مدنی جوگت سیکھ بیب

SI
FOK

رویدرو گو دیاں دل راشد لیم علٹر گھر تھاریں چانڈھی جانی ملے مذکورے اور
زندگی کی نائروں میں جو کسی سماں پہنچیں پھر تو اور یوں ناچشم لمحہ کے ہمراہ مٹا مٹا
لشکر چڑھا۔ لید اثر عقیع ہمراہ ان ہمراہی ملٹری کی کائنات ہنہ فیروز ۱۵ بیب جوہا
زد کی دیاں۔ لئے اور یہ کسی کی نہ کہا کر رکھتا ہے، جو راستہ یوں ہے اور اس کا حل کر
کر کر اور ان ہمراہی کی مسٹری دلیل اور کہاں اور کھڑی ہوئی جو کسی سانسیں روپیں

SI
FOK بیگن میرہ خدا ۱۲۵ . دینی میٹر ۳۵۴۷ ۴۱۷ ۰۲۳ ۲۶۵۰ ۰۰

کے ساتھ میں آر بار سو رفیعہ ہے جانی نہ ہے اور ایسی ملکیتی ملیں،

مذلت راجہ کی ملکت کی دینے پرستہ نہ کہا۔ جو لیو رویم تیوت یہ رفعہ اور

لیو رویلی ہے، فریضیو گو دیاں نے اصلیں کر دیں۔

place ۹. ۱۰
سماں یا

29 - 3 - 15

تم افہر ولہ شام گجرات ۵۸ بیب : کوہ : عالم الفقاریہ میاں دلاراللہ عزیز

تم گجرات ۵۸ بیب

(AB)

تم افہر

Ex:PD/1

مَدْلِعٌ بِرَبِّهِ دُلْ تَارَا د

حَانِرْ بُلْجِيَا

عین در سرمه از دیر رایم ملکه و دستم خوش بخواهد می خوب

$$\text{لـ} \frac{3.86}{34} \cdot \frac{3.02}{324} \approx 2 \cdot \frac{1}{14} \text{ لـ} \frac{4}{14} \text{ مـ}$$

20-15 (13-2) B 15 29 $\frac{3}{15}$ 15 101 15

مَرْسَلُهُمْ وَلَا يَعْلَمُونَ لِلَّذِينَ قَاتَلُوكُمْ كُبَرَاءُ مِنْ أَهْلِهِمْ إِنَّمَا

لطفاً حوقن فرایند پیوسته باشید و اگر ممکن شنیدن فرایند
نمود

۵۲ میرزا کل راجه پریش میر ۵۱ FDK

حکایت میانی زدن نفیہ درازی دفعه

• ०६८५

مکانیزم تابعی

نام	جنس	وزن	جنس	نام
باقر	ذکر	۱۰	ذکر	علی
علی	ذکر	۱۰	ذکر	باقر
باقر	ذکر	۱۰	ذکر	علی
علی	ذکر	۱۰	ذکر	باقر

مکانیزم تابعی میتواند در محدوده:

ستاد (جنبه) :

جیسا کے تھے

فراوده میم . جان سے رائشد لمحت نکلیں گے میں میں ملا شکر خاں دوستی دل کر
تیر دین ڈہ بار کر بلکہ تریخ مکار شکر ٹھوٹھوڑا بور امزدعاً خود یقین رکھنے کا فعل کریں
کہ (۱) چیزیں اسی پار ان حقیقی کوئی بندوق نہیں

جیونکو ۱۰۰ میلیون دلاری که از آن نیز می‌تواند

Ex:PDY/1

(C) 16

شیخ فہد سے رائے لئے مل کر اسی پر یہ مکمل
وہ تحریر ہے جس کا دلخواہ ہے۔
لئے مل کر فہم ہے فوج میں بھی وہ ایسا ہے۔ (کوئی نہیں
لئے مل کر تے بیان کرنے۔ صرف یہ ہے یہ بولا)
پھر وہ کہیں کہ جس کا دلخواہ ہے بیان کرنے۔ میوری
جنگ میں سے رائے مل کر سماں ہی مرے تو یہ میرا ہے یہ ہے
وہ اور ریاست حلقہ میں ہے۔

29-3-15

EX:PE

صلح متعال آباد

عثمانیہ

سکا ریلیہ خدا ختر وال علام خود قوم گیر کے ڈائیورس 58

دہم نمبر ۵۴ حجج ۱۳۰۲ حرم ۱۴ سالہ بلوچی
PPC 324

تاریخ قتل مخفی خل آئندہ قتل خدارہ

رویدہ و دیل لوران کے سامنے میلان والی دیل خل آئندہ قتل خدارہ کے ڈیورس 58
سے دو ران خدا ختم مرتضی خل آئندہ قتل کر دیا کریں ڈی میں ڈال کر ہتھیاری کا رسال ستر سپر
ایمی MR دو عدد پیش تارک میڈر ویم شوٹ میانے تھے یہ فرانس اسائیں ایتھی بھاپس لامور نیلہ
ظرفیت پاپس میں نیکر تکمیل فراہم کر دیں۔

اواد ۸ ① عید الفقار عرق عیاس وہ لال دین نزم گیر حج ۵۸

(A3)

اواد ۸ ② عید الستار وال حج امقر قدم گیر کے ڈائیورس 58

SATCO

ششم سرفہرست عثمانیہ

۰۸-۰۱-۲۰۱۶

EX:PF

صلح نیعل آناد

تمام بیوپی

سرکار دیڑیا جماعت و مسلم قوم فرمید - حکم 58 ر-

سندھ 04 نومبر 14 ہج 302 34 302
PC 324

فرد حصہ مسئلہ حمل گویاں جامہ طلاق

روپریو کیل ایمان کے دران و مدنظر جدیع حصے میلان مالد جائے دو ہوں ملداں خدا رہ۔ جمع میان عرف دان پلوان کے قریب سے یعنی حمل گویاں چلیدہ طلاق تکوہت اٹھا کر لیتیا ری مارٹن تکہر اسی MR دو عدد شہت کرے بلور ہج تیوتے نزیریم فرد حصہ پولپ میں نکل تھیں خرد رہیں۔

لواح ① عبد القادر عرف میاس وار ال دین فرم فرمید 58 ر

(A3)

لواح ② عبد القادر عرف فرم فرمید 58 ر

Signed

خانم سروہ کیتے شاہ بھنی

02-01-2014

Ex:PG



Govt. of Punjab, Health Department

POST-MORTEM EXAMINATION REPORT NO. SO (H&D) 6-37/2009 (REVISION OF MLC PROFORMA)

Book No _____

Serial No. _____

Teaching/DHQ/THQ Hospital: _____

P.M.R. No. _____

NAME: _____ AGE: 38/11 SEX: M CASTE: _____

FATHER / HUSBAND'S NAME: _____ RESIDENCE: _____

Body Brought by: 1-Name & Designation: _____ Police Station: _____
2-Name & Designation: _____ District: _____

Body Identified by: 1-Name: _____ NIC No. _____ Relation: _____
2-Name: _____ NIC No. _____ Relation: _____

DATE & TIME OF: 1) Death: 2) Receiving Dead body in Dead house: 3) Receiving Complete documents from Police: 4) Conducting Autopsy: 03-01-14 AM 03-01-14 AM 03-01-14 AM

INFORMATION FURNISHED BY POLICE:

DIAGNOSTIC TESTS:

Radiological: _____

Ultrasond: _____

I-EXTERNAL EXAMINATION

General Physical Appearance (Including length / weight of the body, Rigor Mortis, staining, Putrefaction, condition of eyes, Condition of natural orifices, Congestion, Patecheal Hemorrhages, etc.) A 38 years old man lying on his back on post mortem table. Eyes shut. No sign of rigor mortis.

Examination of Clothes:

Findings: 1) A firearm wound of entry 1.5 cm x 1.5 cm on front of lower left side of chest. 10 cm from Lt. nipple. 5 cm from midline.

Examination of Neck: (Including findings on tissues under the skin, hyoid bone & thyroid/ Arytenoids Cartilages on dissection).

Findings: 2) A firearm wound of exit 1.5 cm x 1.5 cm on back and Lt. side of lower chest.

Description of Injuries: (Including findings on dissection)
7 cm from midline. 13 cm from Lt. Scapula.

Signature of Medico legal Examiner

DR. Sadaqat Ali
Medical Officer
Kulmentem

Ex:PG

-110-

(U.L)

NOTE: The Medico Legal Examiner should mention size, weight, gross appearance, any evidence of trauma / disease / poisoning / malfunctioning of all the organs & viscera external on cut section. If no disease/ injury/abnormality is detected, to word "Healthy" should be written,

II-CRANUM AND SPINAL CORD

Scalp:	
Skull:	Head not opened
Membranes:	
Brain:	
Vertebrae:	Intact and normal
Spinal Cord:	Intact and Healthy

III-THORAX

1- Walls, Sternum (Manubrium, Body, Xiphisternum), Cartilages and Ribs,	Intact and Healthy
2- Pleurae	L.t. Pleura → Damaged R.t. Pleura → Normal
3- Larynx & Trachea	Intact and Healthy
4- Right Lung	Intact and Healthy
5- Left Lung	Damaged
6- Pericardium & Heart	Damaged
7-Blood Vessels	Blood vessels of Heart and L.t. lung damaged M.D. 14 03-1-1

Dr. Sadagat Ali
Signature of Medico legal Exam

LX-ABDOMEN

1-Walls 13	Intact and Healthy
2-Peritoneum	Intact and Healthy
3-Mouth, Pharynx and Esophagus	Intact and Healthy
4-Diaphragm	Intact and Healthy
5-Stomach and Its contents	Intact and Healthy <small>small fluid</small>
6-Pancreas	Intact and Healthy
7-Small Intestine and Its contents	Intact and Healthy. Small contents
8-Large Intestine & Its contents	Intact and Healthy. Small contents
9-Liver	Intact and Healthy
10-Spleen	Intact and Healthy
11-Kidneys Right:	Intact and Healthy
Left:	Intact and Healthy
12-Urinary Bladder	Intact and Healthy 15 ml urine
13-Organ of generation (external & internal) Mention condition of testes in male and uterus/ovaries in female	Intact and Healthy

V-UPPER AND LOWER LIMBS

	Injuries	Disease/Deformity	Fracture	Dislocation
Upper Limb	/	/	/	/
Lower Limb	/	/	/	14 and 14 07-1-14

Signature of Medico Legal Examiner
Dr. Sadafat Ali
Medical Officer
RHC Khararwala

EX-PC

Specimens sent for expert opinion to:

Chemical Examiner (Preserved in Saturated Saline):

Histopathologist (Preserved in 10% Formalin):

DNA (preserve according to instructions by DNA Lab.):

Ballistic Expert

Articles handed over police:

1. well stitched dead body
2. signed and sealed police paper
3. signed clothes of dead body
4. Copy of DMR 01/14.

Signature of Police officer / official

OPINION: In my Opinion cause of death is homologic shock due to damage to Lt. lung and the old injury and no Entomotum. Post (A,B) is sufficient. Probable time that elapsed... Cause death in ordinary course of affairs.

(a) Between injury and Death..... Immediately.....
 (b) Between death and post mortem.... 4 weeks.....

Dated: 03-1-2014

Signature of Medico Legal Examiner (s)
 (Stamp by name & Designation)

Dr. Sadaqat Ali
 Medical Officer

RHC Khurriawala

کی اور اپنے بعد/دھنٹ شدہ پارچہ جات/ پوست ارثمرپورٹ/ پولیس کاغذات/ ایکسرے اپرین فلش/	
پل شدہ Samples رائے لیبارٹی جزیئرہ/ مول پائے۔☆ میں پابندیوں کی لیبارٹی جزیئرے کے	
فراہم تعلق لیبارٹی میں جمع کروادیں گا۔	
تم	الہ کرنا
تاریخ	نمبر
تاریخ	نمبر
تاریخ	نمبر

Reports of Lab Expert:

Final Opinion :

Dated:

Signature of Medico Legal Examiner (s)
 (Stamp by name & designation)

DMR 01/14.

03-1-14

Dr. Sadaqat Ali
 Medical Officer
 RHC Khurriawala

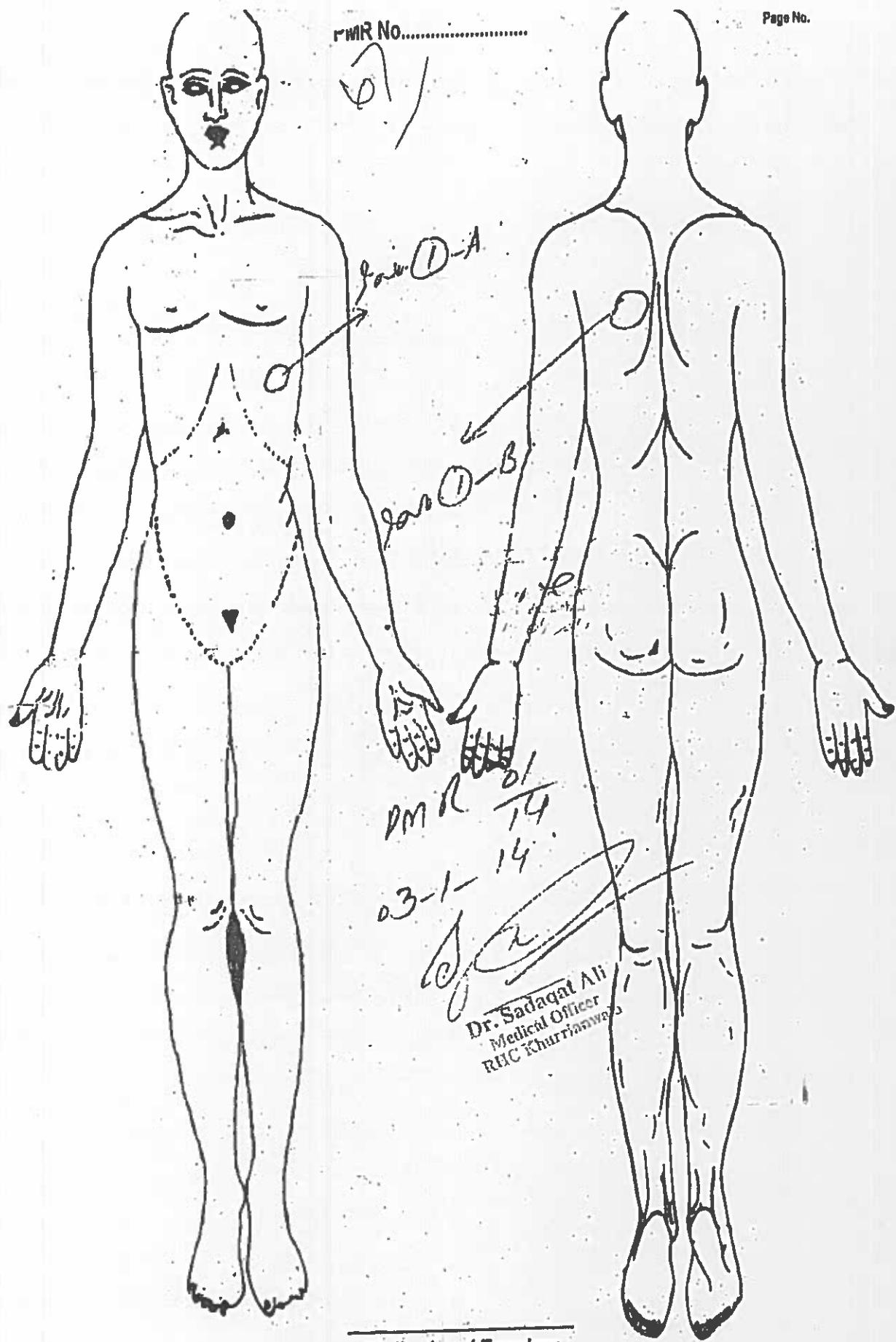
-113-

(CS)

EX:PG/1

P.M.R No.....

Page No.



Medico Legal Examiner
(Name & Designation Will Stamp)

EX:PG/R

تھاٹھی مل آباد

نگارہ ڈیریم چڑھتے ویز نام چرخ کر کے کاپڑ پر 58

سندھ 15 دسمبر 2014ء 302 34 361 02 04
PBC 321

دینہ خانہ بیوی شاہ

مکانی RHC ٹیکٹ No 10

خاباں، نہاریں، چک ۱۰۱، نگارہ ڈولہ نہام چرخ کر کے کاپڑ پر
شیریہ اسلامیہ ماشریلہ سے ہاں یقین سوگنا۔ متوفی

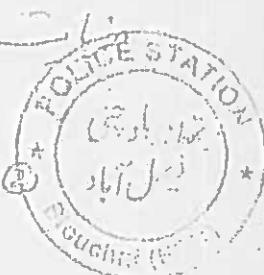
نگارہ کی نعمت طاویلہ کیا ڈینا درکار ہے جیلی

نہیں زرخناکیت کیلیں اسکے 400 روپیہ میں کھوئی جا رہیں۔

متوفی کو قیام پر سر کی عورت کے کرنے پر دل مفراسیلی
پائی گئی ہیں اور اس کی نسبت داڑھی دینے کا درجہ اورست سے ۱۶۰
ڈینا چاہئے۔

اکٹھان نظم ساتھ سے زرخناکیں

اپنے ناٹھ نظم سر سرچ پیلی طرف تو ہو گیں



PPR 01/14/14

02-01

SADQAT ALI

Dr. Sadqat Ali
Medical Officer
KFC Khurramwala

نامہ فرمائی

02-01-2014

ریڈ شمگ سرگ نیو ٹپی بذریعہ تغیرات
نمبر ۱۰۵ (۱) ب

مکانی ۴/ ۲۵
رپورٹ نمبر ۱۶۷
موسم ۲۰۱۵

کائن ۵۸ مازرسائی ۲۰۱۵	۱۔ نام، قام جہاں سرگ: آئی ہوئی۔ یا اس بارے میں (کھول کے بیان کرو)
کائن ۵۸ مازرسائی ۲۰۱۵ جایگزین حفاظتی	۲۔ تا صدر سمت اس قبادتیں اس کے علاقے میں سرگ بتوئیں آئی۔ یا جس جگہ برآمد ہوئی۔
۲/ ۲۰/ ۶ لوقت ۲/ ۲ کیلی M Ranger M Afzal	۳۔ بتوئی دوست کے معلوم کرنے کی تاریخ، وقت ۴۔ نام پالیت ایکانت و زیادہ اشخاص کی بیویں کی شافت کریں۔ کوشش نہ کریں تکریروپاٹ کی ہے۔ نوت: دشوار ان تقلیل پذیر افراد نام نہ مانگ کرنے پڑیں۔
چار سو اور دو سو متر عوام فریاد ۵۸	۵۔ نام درجیت داریت و مکانت روشنیت متنی۔ Judge Anti Court ۱۶/ ۱۶ جزوی ثبوت
سرد بیرون ۳۸ سال تقریباً	۶۔ مالکیت پارچہات پیشہ والی زیارتیں اور نمائیں اس اگر کی کامیابی کو زبردست انتہا کی ہیں۔ باخان یا کسی اوچھے سے الور و پنک، نشاپات۔ نوت: آئی سول سو ٹن یا تکمیر طبیں کائش کے لئے کیلئے انتہا کو روشنیت مکان جہاں تک پہنچنے اور پہنچنے پانے کی پڑے۔ کوئی کوئی بات اس حالت میں بکھرتا رکور ساحب افسوس کے لئے احتیاط کریں۔
فتنہ ایمان نہ	۷۔ مخفی اعضا، و چشم بیرونی۔
لرزدی مائل	۸۔ پتھر کا طور
۱۔ ایک انسان رسم سے پہنچے خونخیاں ۲۔ ایک انسان رسم کر کی اعلیٰ طرف خونخیاں	۹۔ خرابی، یا نمائی کی کامیابی کی کامیابی کے ان کاوش طالب و مشریع رکھا جائے۔ نوت: کوئی مسکن کر دشمن میں کوئی پر ہجیں مانیں۔ اور مول دشمن پادھ افرطی کے لئے اس کے لئے بیان آئی کامیابی کی کامیابی کے ۷۔ انسان کے اعورت کی خاصیت۔ ۸۔ انسان کے اعورت کی خاصیت۔
PM ۱۶/ ۱۶ ۱۶/ ۱۶ ۰۱/ ۰۱ DIL	۱۰۔ خون پیشے ایک ایسا بیان کیا جائے کہ اس پیشہ کا نام مخفی اعضا۔ ۱۱۔ اسی ایک ایسا بیان کیا جائے کہ اس پیشہ کا نام پیشہ کے نام مخفی اعضا۔

Dr. Sadagat Ali
Medical Officer
Punjab Police

Ex: P G/B

nil	nil	۱۳۔ کیا جسی یاد رکھے گا بیوی کے انتظامیہ مال کی کتنی ہے؟ پاڑوں پر اس ساتھ آئی قضاۃ یا سفر نظریہ ہے کہ اس بیان کیلئے اسے اپنے اور بیوی کو کہا کہ کس طرح جاندے ہیں تھے۔
nil	nil	۱۴۔ کیا کوئی شے خارجی خالہ ماس پیوس غیرہ والوں نہیں ہے۔ بیوی کی بیٹی میں بڑی بڑی بیٹی۔ بیٹھ کے کسی حد تک مل کیں گے۔
دوڑھاتا رہے طا تمرو	کیا نہیں	۱۵۔ کافیش کی روپے اڑے اور طاقت فوج کی ہے۔ باہم زینت کی ہے۔
خیتوط	کیا مسٹر	۱۶۔ کیا مسٹر بول دے۔ یا الگ ہے۔ یا اسے کوئی ہے۔
۱۷/۸/۲۰۱۷	ادبیہ	۱۷۔ طول سرستے پاؤں تک
—	—	۱۸۔ نشانات فخر اور بذریعہ کا اونڈھنڈل نہیں
پڑیں اسلامیہ القیس نامہ	—	۱۹۔ ظاہری باعثہ برگ
nil	—	۲۰۔ کیا کوئی اپنے حالت کو وجد ہیں۔ یا اسے جس سے ملا جائے تو کتنی نئے خوشی کی ہے۔
شرط ہر ایک بھے جو شش پر اس کے خرید رہیں رہتے ہو۔		
۱۱۔ جو شش کے خرید رہیں رہتے ہوں ہر ایک پر پر بیکا کر کر ملکان جا کریں گے جو شش کے ساتھ ہیں تو کتنی کمی۔ جو بیکا پلے وہیں کیجیں گے۔	۱۲۔ جو شش پر رائی رہتے ہوں ہر ایک پر جی کا کر کر ملکان جا کریں گے جو شش کے ساتھ ہیں تو کتنی کمی۔ جو بیکا پلے وہیں کیجیں گے۔	۱۳۔ فتح خرید رہا ہے جو شش رہتے ہوں۔
Dr. Sadagat A. Majeed M.D. M.S. Fellowship in Psychiatry M.A. M.Phil B.A. B.M.Sc B.Ed.	—	۱۴۔ فتح خرید رہا ہے جو شش رہتے ہوں۔
۱۵۔	۱۶۔	۱۷۔
۱۸۔	۱۹۔	۲۰۔

Ex: PG₁/3

Jan 11 1991

03-15

*Dr. S. P. Ali
Medical Officer
PMC Gurukul*

سندھ دریا خاں پورہ کے دریا خاں میں سے ایک دریا خاں
دریا خاں 34 302 پاکستانی دریا خاں کوئی تذکرہ نہ رکھے
324
لے گئے ہیں لفڑا 2119 $\frac{1}{4}$ لوگن اسی طرح ہیں جنہیں عکساں
ٹھوکاں نہیں اچھے سنھ لے لیتھ کوئی افسوس نہ رکھے
ہیں جنہیں کوئی افسوس نہ رکھے اسی طرح اسی طرح اسی طرح
لے گئے ہیں اسی طرح اسی طرح اسی طرح اسی طرح
پھر اسی طرح اسی طرح اسی طرح اسی طرح اسی طرح
تھاں کی کم اسرائیل 604 بھال عریا اسی طرح اسی طرح اسی طرح
وسترن ڈاکٹری سے 1960ء کا زمانہ

دستخط افسر اقتیش غلام حسین نام تسلیم کر دیا میں سانیز کر دیا 03-01-14 03-01-14	تمام حاضر 58 ناظر میں 02-01-2014 مکمل اور موقوفہ اور موقوفہ مکمل اور موقوفہ
 Dr. Sadaqat Ali Medical Officer DTC Kharoankhali	① محروم باشد پہنچ کر منع کرنے 28 جنوری 2014 ② افسوس کا انتہا کرنے کا 22 جنوری 2014 ۱۰ جنوری 2014



Brief History:

Examination of Clothes:

Govt. of Punjab Health Department
MEDICO LEGAL EXAMINATOR CERTIFICATE

Name: _____ Father: _____

Daughter/Wife of: _____

Age & Sex: _____ Occupation: _____

Address: _____

D. No. _____

Identification Marks: _____

Description complete description of case (mention location) _____

Date: _____

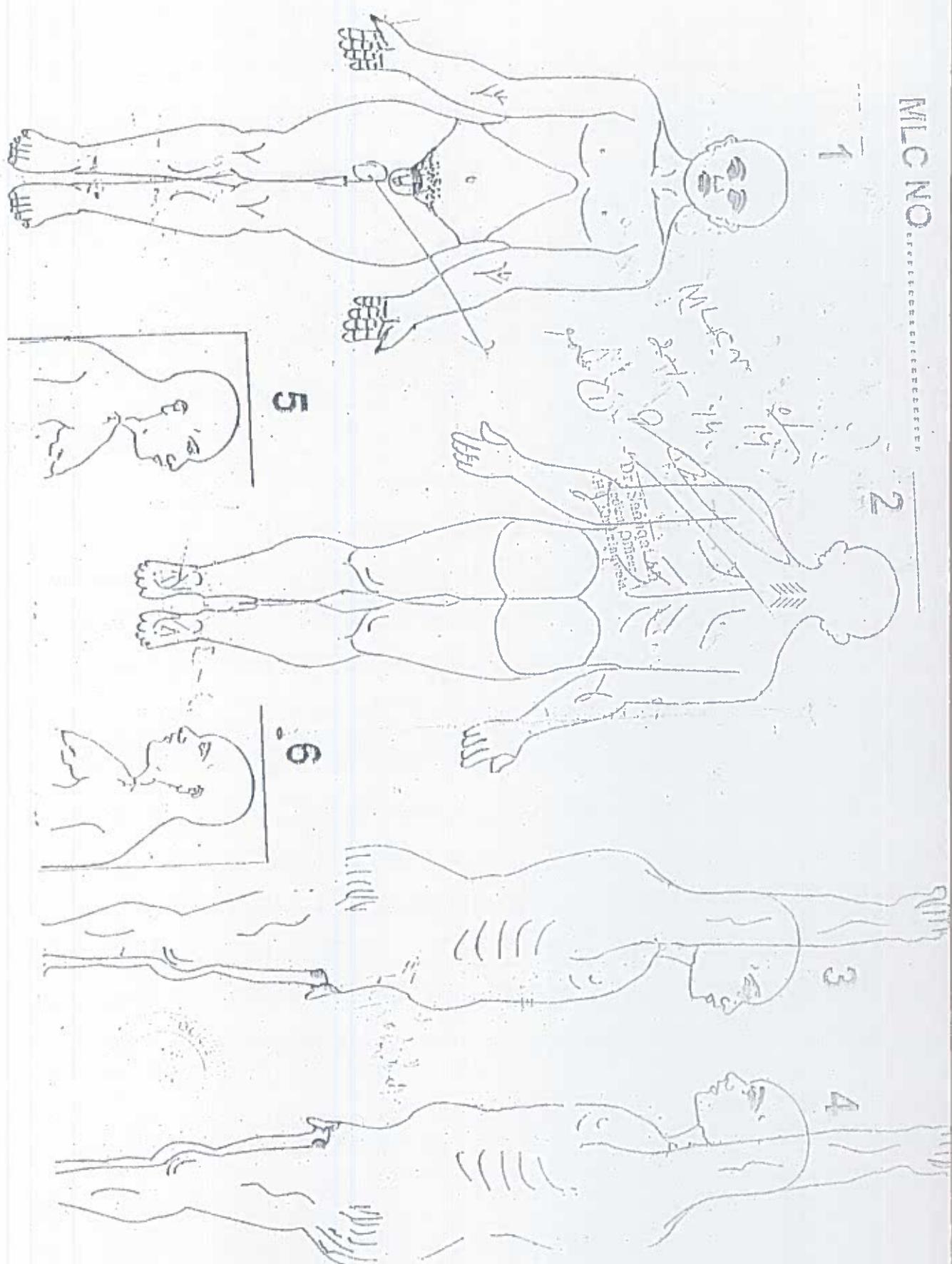
Time: _____

1. Description of Injury: <i>(A) A finger with a quantity of blood loss</i>	
2. Date of Injury: <i>10/10/2010</i>	
3. Time of Injury: <i>10:00 AM</i>	
4. Nature of Injury: <i>Blow</i>	
5. Cause of Injury: <i>Slip and fall</i>	
6. Part of Body affected: <i>Hand</i>	
7. Depth of Injury: <i>Medium</i>	
8. Extent of Injury: <i>Minor</i>	
9. Type of Injury: <i>Open</i>	
10. Date of Report sent to Police: <i>10/10/2010</i>	
11. Time of Report sent to Police: <i>10:00 AM</i>	
12. Accompanied by Police: <i>No</i>	
Investigations Advised: _____ Samples sent for Laboratory Examination: _____	
Opinion of specialist/ Doctor Notes /X-Ray report: _____	
Nature of Injuries: <i>Blow</i> Possibility of fabrication if any: YES/NO: <i>NO</i> (Dieses & Dihit Law)	
Probable Duration of injuries: <i>3 days</i> Kind of weapon used / Police suspected: _____	
Final opinion for KUO injuries: _____ (to be given within 21 days)	
Sample sent to Expert: _____ Institution name: _____ Report number: _____	
Government Fee Recd: _____ Received: _____ (Name & Designation with stamp)	

-120-

EXPIA

MLC NO.....



EXPH/2

فلاح پل ایاد

دکان مفتوقی
R.H.C. 540

گمانہ بھی خواہ
کے مفتوقی

جاں بھی کا سدا کارو من در آسمی جنگ و عزیزی
تم لا جیتے بھی نہ کریج 58 سردار جنگ دار لاری
جس کا جانشی میر، شہزادہ احمد و بخاری دارمادری
بیٹھیں نہ کریں 58 سردار جنگ و عزیزی
جنگ دار لاری 3038 HZ

COD 30
07/01/2013
AF 01/2011

کے مفتوقی

کے مفتوقی



ML 010-14
02-1-19
Dated:

02-1-19
Dated:
02-1-19
Dated:

EX:PT

خانہ نیوں کا

شکار پر

سکار پر یاد ہوا فتر و اس نام نہ کوئی کام کے

58

$$\frac{34}{PPC} \frac{32}{324} \frac{32}{324} \text{ جسم } R \frac{01}{14} \text{ دوست } R \frac{04}{14}$$

پیام

قرد میور چنل مارچاٹ پوسٹری ٹھکار پر جھنگول

آخر قدر کنٹل اس کا $\frac{604}{6}$ تھا تھا بھی تو۔ ترکیم کرواتے اور شکار پر نوش خواری دوں گے میں
کوئی کام کا پتہ نہیں رکھتا۔ میں اپنے بیان میں کہ مارچاٹ پوسٹری ٹھکار پر جھنگول میں
بڑا ہے لہ کر پڑے ہیں۔ مارچاٹ پوسٹری ٹھکار پر جھنگول نہ کار پر کی لپھل نہیں ہے۔

P-1 ڈین پیشہ کی ایک کام کے لئے آور

P-2 شکار پیشہ کی بیان کر کے بکھر جائیں آور

P-3 یا یا کے صلیب کے خون آور

P-4 سویٹر یا ٹک سفید لال بلکاپ نہ کرو۔ خزان آرڈر ہو یا یا ہوتے ہیں اسے مزد
صیغہ پوسٹل میں لے کر کیل مزد کی۔

$$\frac{604}{6} \times 200 = 2000$$

ٹھکار پر جھنگول

النکھل

03-07-2014

EXPL

بحد ذات جانب

بالتالي ملخصات و ملخصات

وارثت گرفتاری

(زیر نام 75 ش ف)

مقدمہ نمبر	34	302	16
برکار بام	397	397	397
نام	اے اس ایچ اف قائد	ملحق	جنرل آئندہ

بخواہی:	اے اس ایچ اف قائد	ملحق	جنرل آئندہ
اکٹہ:	اے اس ایچ اف قائد	ملحق	جنرل آئندہ

جیزہ کی رو سے حکم دیا جاتا ہے کہ کسی قرار دشمن ساکن پہلے عزیر ایڈم کو گرفتار کر کے تاریخ مقررہ پر ہمارے رو بروپیش کیا جاوے۔ ملزم کی رو بروپیش کی صورت میں قابل انتہا برائے بیان تاریخ مقررہ پر بھر صورت حاضر آؤنسے۔

SADDI JASOOOL CH.
JASOOOL CH. ILLUSTRATED LIBRARY
JARAHWALA

۹۶۱/۲۱۱

کتب خانہ اسلامیہ
کتابخانہ مسیحی اسلام

بوزخ

EX:PL/1

شکریت سی 2116
25

لعل مکانیز

کامپیو
نیشن
06 - 3 - 16

جیاں مالی
کی ایسیں سے جو دن مارٹ سے کر تھیں
کیا اسیں وہم و ایسٹ ملے کی ایسیں سے جو دن مارٹ سے کر تھیں
کیا اسیں مارٹ سے کر تھیں اسیں مارٹ سے کر تھیں اسیں مارٹ سے کر تھیں

لیڈریشن ۰۷
لیڈریشن ۰۸

شکریت سی 2116

08 - 3 - 14

EX:PM

لیبرالیت جناب -

وَارِشَادُكَ فَلَمَّا دَعَ

(زیرنویس ۷۵ صفحه)

مقدمہ نظر	14	نمبر	324	SDI	34	نامہ	کالج فن	انگریزی نام
-----------	----	------	-----	-----	----	------	---------	-------------

~~SILVERTHORPE SCHOOL CH.
JULY 1911. Grade 1st Class.~~

EX:PM/1

نحوت ۳۱۶

نحوت ۳۱۶

نحوت ۳۱۶

نحوت ۳۱۶

نحوت ۳۱۶

پیدا ہیا۔
کرنا؟ دوڑہ وارنے چل کی لفڑی کیں ہیں ہر کس طالب
اللہ کوت دل کشی یہ مذکورہ دوڑہ دلتھ مہر رکھوں
و اور اسی گرتاسی سے پیدا ہوں گے

کوہستانی

کوہستانی

کوہستانی

کوہستانی

EX:PN

اُشہارِ حکم حاضری لازم زیر دفعہ 87 صابقہ و مدد کی جائے گی
جس کا مکمل محتوا اور تفاصیل اپنے مکمل مذکوری میں مذکور ہے۔

مقدمہ نمبر ۰۶ پیغام ۳۱ شمارہ ۲۷ مکمل ۰۴ مقدمہ نمبر ۰۶ پیغام ۳۱ شمارہ ۲۷ مکمل ۰۴

هرگاه حارہ سردو بیوائی امر کی نالش پیش ہوئی ہے کسی ختم المحدث علی مسلم حرم کو بدل
بزم چکر کی سزا یعنی تو اپنی تعزیات پاکستان کی دفعہ ۸۷ میں مقرر ہے۔ مرتکب
ہوا ہے اور از روئے کیفیت تعلیل و ارشاد گرفتاری کے اس نالش پر جاری ہوا ہے معلوم ہوا کسی
ذکر کو رد سلیاب نہیں ہو سکتا اور ہرگاہ حسب اظہران ہمارے ثابت ہوا کسی
کوازیم ہے کہ بتارتیخ اس میں نالش مذکور کی جوابیدی کے لئے حاضر ہو۔

مجھ پر بڑی بوجہ اول / مجھ پر بڑی بوجہ اول

EX:PN/1

شہرستان جاتہ

لیبل فلم

Concord

Print

12-4-14

خواستہ لے لائیں ہوئے استھان کی افصیل حکیمی اتنا طبق
اوقام اسی پر ایک روت مذکورہ کے سلسلہ دوسرا سریز
پولی ٹریڈر پر سطحیت افسوس لیوٹ ایک جو لارڈ ہے

لیوٹ ڈسٹریبیشن

شہرستان جاتہ 2116 گلہائے (لارڈ)

15-4-14

EXPO

اشتہار نگمہ حاضری ملزم زیر دفعہ 7/8 مبارکہ فوجداری

مقدمہ نمبر	۳۴	۳۰۲	۵۶
نام	بیگم	بیگم	بیگم
جنس	مذکور	مذکور	مذکور
عمر	۱۷	۱۷	۱۷
محل زادہ	پاکستان	پاکستان	پاکستان
محل سکونت	پاکستان	پاکستان	پاکستان
محل کام	پاکستان	پاکستان	پاکستان

برکھار برو بیو اس امر کی ناٹش ہیش ہوئی ہے کہ کسی قیمتی لکڑی کو فروخت نہ کیا ہے اس کی وجہ پر اس کی ملکیت میں مقرر ہے مرتکب ہوا ہے اور از روز کی کیفیت تسلی و ارتکب کرفتاری کے اس ناٹش پر جماری ہوا ہے معلوم ہوا کہ کسی جمیعت کی مذکورہ مدتیاب نہیں ہے بلکہ اور برکاہ حسب اطمینان اس کا اثاثہ ہوا کری جمیعت کی کو لازم ہے کہ بتارتی اس میں ناٹش مذکور کی جوابدی کے لئے حاضر ہو۔

SADAF RASOOL CH.
JUL. 1st Class
30
بیگم
بیگم
بیگم

Ex: P/1

شہزادہ ملی 2116

حلقہ مدد کمیٹی کراچی

کوڈ ۸۷۷۰
جولائی ۱۹۷۴ء
۱۲-۴-۷۴

پھاٹلی
تاریخ دہن ما شناہی کی لیفٹننے ہے ہمارے اعلیٰ ہی
یہ ایک بہت تذکرہ کے سکھ پر دسائیں
پیش کیا گیا اور اسی پر بہت ایسا پروٹ آپ کے
ولیک از رہا ہے

= ملک عاصم

شہزادہ ملی 2116

15-4-74.

کتابیں تحریر کیا

دعا شرمندی

برکاره از لام ۳ راهنمایی و آنستادم ۳۰ قوم پر کار جانشین ۵۸

لکھ جوں تھے یا نہ کہل جائی تو تم قتل وانچ کا نہ 58 لکھ جوں

<p>کائن ازان الرسانی دوستی</p>	<p>بازار شاہزادہ عام</p>	<p>کائن ازان شہزادہ آرائیں</p>
<p>بازار شاہزادہ عام</p>	<p>دیکھ ① ② ③ ④ ⑤</p>	<p>بازار شاہزادہ عام</p>
<p>فعکان و کائن ازان ارشادیں</p>	<p>⑥ لے کر بازار شاہزادہ عام</p>	<p>کائن ازان سردار دوستی بازار شاہزادہ عام</p>
		



امیر شمس

مکانیزم مذکور در مقاله MR نیز تأثیرگذاری کرد و این نتایج مطابق با نتایج اخیر است.

۳۰۰۰ میلیون تا ۴۰۰۰ میلیون کیلووات ساعت طبق نظرخواهی کمیته انرژی ایران

لهم انت أنت الباقي مني بعدك لا ينفعني أحد

لهم إجعلنا من عبادك الذين يحبونك ^{أنت أنت} واجعلنا ملائكة في سمواتك ^{أنت أنت}

این MR نتیجه ایجاد شده است که مکانیزمی برای توزیع این مقدار را فراهم نموده است.

وَهُنَّ مُنْذِرُونَ (مُنذِرٌ سَابِقٌ) مُنذِرٌ كَرِيمٌ نَّزَّلَ بِرُّوحٍ

جود دنگا مان میں اور بے شکر نہیں وہی عزم
جس کا لذت پر سوچنے میں اُسے اپنے میانے کا سارے
حکم ادا کرنے کے لئے ملک کے ایک ایسا شہر تھا جو

EX: PQ

خانہ بلوچی سارہنگلہ جہاں گزروں کا قدم خریدنے کو ساخت 58
ضلع فیصل آباد

سندھ ۱۶۰ ڈکھ ۳۴ ۳۴۲ ۰۱ ۲ ۱۴ ۳۲۹
M.C.

بنا ۱) جہاں شرکت شیم قدم ترکیم بنا نہ رکھے
۲) جہاں ناف عرف دنماں پاکوان والوں نے ترکیم قدم آرائیں سامنے پاک اور
درخواست ائے پھر وارث ترکاری بلا مجامعتی

جناب عالیٰ تراویش یعنی ملکہ جہاں جہاں عرف دنماں پاکوان نہ کردہ بالا
سندھ ملکہ جہاں بالا دین رافعہ FIR ہیں چنان ترکاری کیلئے نہ ممکن
لٹکھ کر کیا ہے یہ دستیاب نہ سوچے ملکہ جہاں نہ کردہ بالا ترکاری
تے یعنی کیلئے دیدہ والیہ طور پر زدیوشی ہے ابھر اپنے دھڑکت
اسلامیت کی بنا پاکوان بالا کے وارث ترکاری بلا مجامعتی قرار کرو جاؤ
جانشناصیم صبا در فرمایا جاؤ

غذمہ سرور گنج، کفان بلوچی

5 = 3-11

06.03.2014

Present: I.O with record.
ADPP for the state.

The request of the I.O is accepted and he is directed to proceed further
according with law.

Announced:
06-03-2014

5
(Sadaat Rasoo)
Judicial Magistrate 1st Class
Jaranwala

صلح نیچلے لیں

سکرینینگ خالقاند (۵۲)

شنبہ ۰۴ جون ۲۰۱۴ء
عطا نامہ ملکیت
PC 324 342 34

نیاں ۱۷ خرداد ۱۳۹۳ قسم خیر سائے کائنات ۵۱
خیر عذر اس سفر دنیا پیمان وید تحریک قسم آرائش سائے حکایت ۵۲

درخواست برقرار روحانی استخارہ زیر ذیل ۸ صفحہ

خیابانی تواریخ میں کریم خان خود را خدا۔ خیابان عرب دانا پیمان
ذکر کرد مادر کے قدم علوان مادر میں دفعہ ۳۶ کو اپناست عدالت
سے عارضہ اقتدار کی بخششی شامل تھی دعا در علوان کی فتح کی کیا
معراجان کو شکر کیا جو ریاست ٹھوڑی دھن کے استمارہ سے
۷ صفحہ دعا کیا تھی دفعہ ۲۵ کو نوراں خود دلیل است اپنا
سالت ۱ ستمبر تاریخ آپنا یہ نے درخواست ستر دار کا حکم خیر
هدیہ در علوان مادر اور ترسیک کیا منہ ترستی کی کیلئے در علوان دشمن
صیاح ۲ جو دیوبندیوں میں بیان کیا رائحتہ طور پر دعا کی
استمارہ نامہ درخواست آج کی کریم خان مادر کا استمارہ نامہ ذیل ۸ صفحہ
باکی خواہ درجا نہ کی حکم ذمہ داری

عزم سورہ کی
Opium

12-4-14

EXHIBIT P.R.

Judge Anti Terrorism
Court, Faisalabad
14-4-15



12.04.2014

Present: I.O with record.
ADPP for the state.

The request of the I.O is accepted and he is directed to proceed further in accordance with law.

Announced:
12-04-2014

(Sadaat Rasool)
Judicial Magistrate 1st Class
Jaranwala

Ex:DA

خلج فیصل آباد

ٹھانہ بلوچنی

مقدمہ نمبر 04/14 مورخ 14-01-22 جم 34/324/302 PPC

ٹھانہ بلوچنی۔

پیان ازاں عبد التھار عرف عباس ولد لال دین قوم گجر سکناہ چک نمبر 58 رب

صمنی 1 فقرہ 5 زیر دفعہ 161 ص ف۔

بیان کیا کہ میں چک نمبر 58 رب کارہائی ہوں امروز قریب 1/45

بیکے دن میں محمد اختر ولد غلام محمد مدعا مقدمہ، عبد الاستوار ولد محمد اصغر

اقوام گجر سکناہ دیہہ اپنے گھر کے قریب چوک میں کھڑے محمد ارشد ولد

غلام محمد قوم گجر اور محمد عتیق ولد فقیر حسین قوم راجپوت سکناہ دیہہ کا انتظار

کر رہے تھے جو نکہ اپنے رقبہ میں کام کے سلسلے میں جانا تھا جب محمد ارشد

محمد عتیق گھر سے نکل کر بازار میں آگئے تو اسی اثناء میں دو موٹر سائیکلوں پر

سوار چار اشخاص آگئے دونوں موٹر سائیکلوں کو نامعلوم ملزمان چلا رہے تھے

ایک کے پیچھے محمد راشد ولد شیم مسلح کلاشنکوف اور دوسرا موتور سائیکل

والے کے پیچھے محمد عدنان عرف دان مسلح کلاشنکوف پیٹھے تھے جنہوں نے

آئتی ہی شپے اُتر کر محمد راشد کو زد و کوب کیا محمد راشد ملزم نے محمد راشد سے

کہا کہ تم سے دولا کھرو پے کے بندوبست کا کہا تھا مگر تم نے ابھی تک رقم

نہ پہنچائی ہے محمد راشد نے کہا کہ میں غریب آدمی ہوں رقم کا بندوبست

کر سکا ہوں محمد راشد طیش میں آگیا جس نے سیدھا فائر کلاشنکوف

محمد راشد پر کیا جو محمد عشق کو باہمیں ٹانگ پر لگا دونوں زخمی ہو کر گر پڑے

نامعلوم ملزمان ہر دو محمد راشد اور محمد عدنان عرف دان ملزمان کو اپنی اپنی

موٹر سائیکل پر پہنچا کر بھاگ گئے ہم بخوبی جان نزدیک نہ گئے ملزمان

کے جانے کے بعد ہم نے بھاگ کر مصروف بان کو سنبھال لئے تو محمد ارشاد اسی فائر

لئے سے موقع پر جاں بحق ہو گیا تھا محمد عتیق مصروف کو مصروفی حالت میں

بسواری گاڑی ہسپتال پہنچایا جو الائیڈ ہسپتال زیر علاج ہے وجہ عناد یہ ہے

کہ محمد راشد وغیرہ محمد ارشاد (مقتول) سے بھتہ کا مطالبہ کرتے تھے

محمد ارشاد بھتہ کی رقم نہ دے سکا ملزمان نے ہم صلاح و مشورہ ہو کر

فارٹگ کر کے محمد ارشاد کو نا حق قتل اور محمد عتیق کو نا حق مصروف کیا ہے۔

ملزمان نے تخت زیادتی کی ہے یہ سارا اوقوعہ میں نے اپنی آنکھوں سے

دیکھا ہے آپ نے دوران ملاحظہ موقعہ جائے قتل محمد ارشاد سے مٹی خون

آلود اور تین عدد خول گولیاں چلیڈہ کلاشنکوف جائے موجودگی ملزمان

محمد راشد، محمد عدنان عرف دان پہلوان سے اٹھا کر بعد تیاری پارسل ہائے

علیحدہ علیحدہ سر بھرا گی M.R دو دو عدد ثبت کر کے بطور وجہ ثبوت بذریعہ

Ex:DA

(چاری)

فردات قبضہ پولیس میں لے کر تکمیل فردات کیں فردات پر میں نے

اپنے دستخط بحروف اردو کروئیے بیان سن لیا جو درست ہے۔

(دستخط اردو) غلام سرور SI/INV ٹھانہ بلوچی

2-01-14

Ex:DB

صلح فیصل آباد

ٹھانہ بلوچی

مقدمہ نمبر 4 مورخہ 14 جم 2-1-14 ت پ

7ATA ٹھانہ بلوچی۔

بیان ازان شہزاد مرید چوہدری رحمت علی قوم آرائیں سکنه چک نمبر 58

رب ٹھنی 32 فقر نمبر 7 زیر دفعہ 161 ض ف۔

بیان کیا کہ میں چک نمبر 58 رب کارہائی ہوں بروز و قوعہ مقدمہ نمبر

4/14 بالا سے قبل مورخہ 13-12-22 بروز اتوار بوقت 41 بجے شام

Ex:DB

(چاری)

نہ د پر امری سکول بواتر دیبہ ہذا کے چوک میں میری اور محمد سلیم ولد
 محمد شریف قوم ملک سکنہ چک نمبر 58 رپ کی موجودگی میں ملزمان محمد راشد
 ولد شیم قوم گجر سکنہ چک نمبر 51 رپ، محمد عدنان عرف دانا پہلوان ولد
 نذیر حسین قوم گجر سکنہ چک نمبر 52 رپ نے مقتول محمد راشد ولد غلام محمد
 قوم گجر سکنہ دیبہ ہذا سے دلاکھ روپے رقم بھتہ مانگا تھا محمد راشد مقتول نے
 کہا کہ غریب آدمی ہوں نہ دے سکتا ہوں ملزمان محمد راشد، محمد عرفان نے
 ہمراہ دو کس نامعلوم نے یروز و قوعہ مندرجہ بالا محمد راشد کو بھتہ کی رقم نہ
 دیئے پر محمد راشد وغیرہ 40 کس نے ہم صلاح مشورہ ہو کر ملزم محمد راشد نے
 فائز مار کر قتل اور محمد عدنان نے فائز مار کر عقیق الرحمن کو مصروف کیا تھا
 ملزمان کو قرار واقعی سزا دلوائی جاوے۔

پیان سن لیا جو درست ہے۔

(وستخیط اردو) انسپکٹر SHO تھانہ بلوچی

11-6-14

Ex^cs PK

مکالمہ

ما سکل اقتصادیت تعل اذان و ارشیو معقول واقعیت میدای ۵۸ رس تئیله

بِالْجَنَاحِ

نحو ٤٠ نسخة - نسخة ١٤-٦ - نسخة ١٤-٤ - نسخة ١٤-٣

دوست	بیان اذان ارشادی عربی	بیان اذان شهادت امر
پذیرش از عموم	بیان اذان ارشادی عربی	پذیرش از عموم
پذیرش از دوست	بیان اذان ارشادی عربی	پذیرش از دوست
پذیرش از مددگار	بیان اذان ارشادی عربی	پذیرش از مددگار
پذیرش از مددگار	بیان اذان ارشادی عربی	پذیرش از مددگار

۱۸۰۵ء میں ایک ارشد مہمیل کی افسوس پڑی تھی۔ آں قام سے ای میش ذین آنون ای گا ارجنہ دار زیماں سل رکھ کر نظر لے گئے۔

تیز پیچانی میکند و این را در میان دو کوه قرار دارد. این کوه های بزرگ از آن جهت کوه های اطراف خود بسیار پر از شکاف هایی باشند که از آنها میتوان برخیزد.

٢٠١٣ - ٣٨ - ٢٨ ٢٧١١

Ex:PK

(چاری)

اُتیازی نشانات (پرخ روشانی):

اُتیازی ثوٹ: نمبر 1 تا 5 بالکل درست ہیں۔

(مشنط اردو) غلام سرور SI/INV تھانہ بلوچی

6-1-14

141.

IN THE LAHORE HIGH COURT, LAHORE

SEARCHED	INDEXED
SERIALIZED	FILED
Filed To Mr. Justice H. A. J. A. D. No. 67869 Date 25/6/15	
Assistant Registrar (Criminal)	

Crl. Appeal No. 1307 / 2015

P.B.
AKT
like

District	Date of filing	Whether filed through Counsel or in person	Court fee
Faisalabad	24.06.2015	AMANULLAH KHAN NIAZI Advocate Supreme Court PLH-249	Nil

QAMAR ADNAN son of Nazir Hussain, Caste Arain, resident of Chak No.52-R.B, Police Station Blochani, District Faisalabad. (Presently confined in Central Jail, Faisalabad).

APPELLANT

VERSUS

1. **THE STATE.**
2. **MUHAMMAD AKHTAR** son of Ghulam Muhammad Caste Gujjar, resident of Chak No.58-J.B, Faisalabad.

RESPONDENTS

25 MVA

APPEAL: under Section 482 MVA against the conviction and judgment dated 15.06.2015 passed by Mr. Raja Parvaiz Akhtar (D & SJ) Judge Antiterrorism Court, Faisalabad.

Case/FIR No. : 4/14 dated 02.01.2014

Offence u/s : 302, 324, 386, 34 PPC & 7-ATA 1997

Police Station : Blochani, Faisalabad.

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CONVICTION

The following sentences were awarded to the appellant which are as under:-

- i) under Section 302/B read with Section 34 for the murder of Muhammad Arshad and is sentenced to life imprisonment. He is also ordered to pay compensation in the sum of Rs.5,00,000/- under Section 544 (a) Cr.P.C.to be apportioned by the legal heirs of deceased. Failing which to undergo S.I for further six months.
- ii) Under Section 7 (a) ATA, 1997 read with Section 34 PPC for the murder of Muhammad Arshad and is sentenced to life imprisonment with fine in the sum of Rs.5,00,000/- and in case of default, to undergo S.I for one year.
- iii) Under Section 386 read with Section 34 PPC and is sentenced to 10 years R.I with fine in the sum of Rs.2,00,000/- and in case of default to undergo S.I for six months.
- iv) Under Section 21-L, ATA, 1997 is sentenced to 5-years R.I with fine in the sum of Rs.1,00,000/- and in case of default to undergo S.I for four months.

3
Respectfully Sheweth:-

143

The case/ FIR No.4/14 dated 02.01.2014 under Section 302,324, 386, 34 PPC & 7 ATA 1997 registered at Police Station Blohani, District Faisalabad on the statement of Muhammad Akhtar son of Ghulam Muhammad for the murder of Muhammad Arshad and injury to Muhammad Attique against appellant and other co-accused namely Rashid Naeem.

2. That Anti Terrorism Court passed the judgment / order dated 15.06.2015 and convicted the appellant as mentioned above and also convicted the co-accused of the appellant namely Rashid Naeem as under:-

- I- under Section 302/B read with Section 34 PPC for the murder of Muhammad Arshad and sentenced to death is also ordered to pay compensation in the sum of Rs.5,00,000/- under Section 544 (a) Cr.P.C to be apportioned by the legal heirs of the deceased, if realized failing which to undergo S.I for six months.
- II- under Section 7 (a) of ATA, 1997 read with Section 34 PPC for murder of Muhammad Arshad and sentenced to death with fine in the sum of Rs.50,00,000/- and in case of default to undergo S.I for one year.
- III- under Section 386 read with Section 34 PPC is sentenced to 10 years R.I with fine in the sum of

Rs.2,00,000/- and in case of default to undergo for six months.

IV Under Section 21-L, ATA, 1997 is sentenced to 5-years R.I with fine in the sum of Rs.1,00,000/- and in case of default to under S.I for four months.

3. Hence the appeal on the following amongst other:-

GROUNDS

- a) That the impugned judgment and order is against law and facts.
- b) That the evidence produced by the Prosecution is not sufficient for sentence to the appellant.
- c) That from the bare perusal of the record and judgment passed by the Trial Court a lot of discrepancies and contradiction lying in statement of PWs.
- d) That the ocular evidence conflict with medical evidence.
- e) That the sentence passed against the appellant is very severe keeping in view of the facts of the case.
- f) That the Learned Trial Court has ignored the fact that the injured person who was material witness of this case who has not been produced by the prosecution and was given up.
- g) That prosecution has not proved the motive.

PRAYER:-

145.

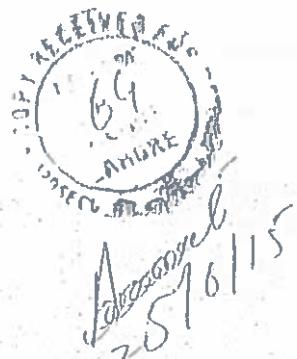
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Under these circumstances, it is, therefore, most respectfully prayed that the appeal may kindly be accepted and the impugned judgment and order dated 15.06.2015 may kindly be set aside. The appellant may kindly be acquitted from the charge, in the interest of justice.

Any other relief which this Hon'ble Court deems fit and proper may also be granted graciously.

APPELLANT

Through:-



AMANULLAH KHAN NIAZI
Advocate Supreme Court
PLH No.249
Address: 2nd Floor,
Mian M. Abbas Building,
13-Fane Road, Lahore

CERTIFICATE:

As per instruction of my client this is 1st appeal on the subject matter before this Honourable Court.

A.L./hc
ADVOCATE

Before Lahore High Court, Lahore.



86500
7/9/15

Cr.A 2198 of 2015

Muhammad Akhtar son of Ghulam Muhammad, resident of Chak No.58/RB, Tehsil Jarawala District Faisalabad.

Appellant

Versus

1. The State.

2. Rashid Naeem son of Shamas-ud-Din, Caste Gujjar, resident of Chak No.51/RB, Police Station Shah Kot, District Nankana Sahib.
3. Qamar Adnan son of Nazar Hussain, Caste Arain, resident of Chak No.52/RB, Police Station Balochni, District Faisalabad.

Respondents

.....
Appeal under Section 25 (4-A) Anti-Terrorist Act against the judgment dated 15.06.2015 passed by Raja Pervaiz Akhtar, District and Sessions Judge/Anti Terrorism Court, Faisalabad.
.....

Respectfully sheweth:-

1. That the appellant got a case F.I.R. No.4/14 dated 02.01.2014 under Sections 302/324/386/34 PPC and Section 7 of Anti-Terrorism Act, 1997 at Police Station Balochni, District Faisalabad against respondents No.2 and 3 on the allegation that on 02.01.2014 at 1:45 p.m. the appellant alongwith his Abdul Ghaffar alias Abbas and Abdul Sattar were present at Chowk near the house of Abbas and for waiting for Muhammad Arshad and Muhammad Attique and they have to go to their fields in connection with their work. In the meanwhile Muhammad Arshad, a brother of the appellant alongwith Attique came

to the Bazar, in the meanwhile 4 persons riding on two motorcycles arrived there. Muhammad Rashid accused armed with a Kalashnikov was sitting in pillion of motorcycle whereas Muhammad Adnan alias Pehalwan respondent No.2 armed with a Kalashnikov was sitting in pillion of an other motorcyclist came there. The accuse alighted from the motorcycles and intercepted Muhammad Arshad, a brother of the appellant and told him that they have asked about the arrangement of Rs.2,00,000/- but he neither arranged for it nor made any payment thereof. Arshad beseeched the accused persons that he is a poor man and cannot arranged for this amount upon which Muhammad Ranshid accused fired a Kalashnikov shot hitting Muhammad Arshad, the brother of the appellant on the left side of his chest. Muhammad Adnan fired a Kalashnikov shot hitting Muhammad Attique at his left leg, who became injured and fell down on the ground. The accused persons Muhammad Raashid and Adnan fled away from the spot on their motorcycles of unknown accused persons. The appellant found that his brother Muhammad Arshad has died on the spot and the appellant shifted Muhammad Attique to injured condition to Allied Hospital at Faisalabad for treatment. The motive behind commission of the offence is that the accused persons Muhammad Raashid etc demanded "Bhatta" from Muhammad Arshad, a brother of the appellant, who could not make payment thereof and they murdered him and injured Muhammad Attique by fire shots. (A copy of the judgment is attached herewith as Annex-A)

2. That respondents No.2 and 3 were put on trial before the learned Additional Sessions Judge/Anti-Terrorism Court, Faisalabad.
3. That after recording prosecution evidence vide judgment dated 15.06.2015 the learned Trial Court convicted respondents No.1 and 2 as detailed below:-

Accused Raashid Naeem

1. U/S 302(b) read with Section 34 of PPC for the murder of Muhammad Arshad and is sentenced to death. He is also ordered to pay compensation in the sum of Rs.5 lac U/S 544-A of Cr.P.C., to be appropriated by the legal heirs of the deceased, if realized, failing which to undergo SI for 6 months.

2. U/S 7 (a) of Anti-Terrorism Act, 1997 read with Section 34 of PPC for the murder of Muhammad Arshad and is sentenced to death with fine in the sum of Rs.5 lac and in case of default, to undergo SI for 1 year.
3. U/S 386 read with Section 34 of PPC and is sentenced to 10 years R.I. with fine in the sum of Rs.2 lac and in case of default, to undergo SI for 6 months.
4. U/S 21-L of Anti-Terrorism Act, 1997 and is sentenced to 5 years R.I with fine in the sum of Rs.1 lac and in case of default to undergo SI for 4 months.

ACCUSED QAMAR ADNAN

1. U/S 302(b) read with Section 34 of PPC for the murder of Muhammad Arshad and is sentenced to life imprisonment. He is also ordered to pay compensation in the sum of Rs.5 lac U/S 544-A of Cr.P.C., to be appropriated by the legal heirs of deceased, if realized, failing which to undergo SI for 6 months.
2. U/S 7 (a) of Anti-Terrorism Act, 1997 read with Section 34 of PPC for the murder of Muhammad Arshad and is sentenced to life imprisonment with fine in the sum of rs.5 lac and in case of default, to undergo SI for 1 year.
3. U/S 386 read with Section 34 of PPC and is sentenced to 10 years R.I. with fine in the sum of Rs.2 lac and in case of default, to undergo SI for 6 months.
4. U/S 21-L of Anti-Terrorism Act, 1997 and is sentenced to 5 years R.I with fine in the sum of Rs.1 lac and in case of default to undergo SI for 4 months.
4. That the learned Trial Court convicted Qamar Adnan respondent to undergo sentence for life under two counts.
5. That while passing the impugned judgment the learned Trial Court completely overlooked the facts that there is ample evidence ocular evidence as well as circumstance evidence against Qamar Adnan and he also should have been awarded the sentence of death as he is equally liable with his co-accused for the offences alleged against them.

6. That there is nothing on record to show that Qamar Adnan deserves any leniency and he is also liable to be sentenced to death.
7. That the prosecution evidence against Qamar Adnan respondent has been completely overlooked the evidence on record and gravity of the offence alleged against Qamar Adnan respondent.
8. That the impugned judgment to the extent of Qamar Adnan respondent is against the facts of the case and he has been erroneously sentenced to imprisonment of life instead of awarding him punishment of death.
9. That the amount of compensation awarded under Section 544-A Cr.P.C is also not in consonance with the gravity of the offence leveled against respondents No.2 and 3 and it requires to be considerably enhanced.

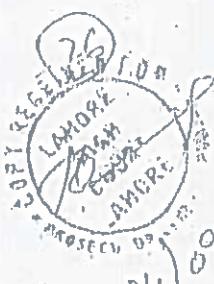
It is therefore respectfully prayed that the impugned judgment passed by the learned Trial Court may kindly be modified and the life imprisonment awarded to Qamar Adnan respondent the altered to punishment for death and the compensation may also be ordered to be enhanced keeping in view the gravity of the offence.

Dated:-10.07.2015.

Appellant

Through

(Ch.Fakhar ul-Zaman)
Advocate, High Court,
5-Mozang Road, Lahore.
POK 36943



(Ch.Muhammad Atif Saeed)
Advocate, High Court,
119-District Courts, Faisalabad.
PTT 18979

Note : It is 1st Appeal before this
Hon'ble Court.

ATL

IN THE LAHORE HIGH COURT, LAHORE
(JUDICIAL DEPARTMENT)

Crl. Appeal No.1255 of 2015

Rashid Naeem versus The State etc.

Capital Sentence Reference No.52-T of 2015

The State versus Rashid Naeem.

Crl. Appeal No.1307 of 2015

Qamar Adnan versus The State etc.

Crl. Appeal No.2198 of 2015

Muhammad Akhtar versus The State etc.

Date of hearing 02.12.2019

The appellants by M/s Muhammad Akram Qureshi and Mian Ghulam Rasool, Advocates.

The complainant by M/s Qazi Jahanzaib and Azam Nazir Tarror, Advocates.

The State by Mr. Nawaz Shabid, Deputy Prosecutor General.

Asjad Javaid Ghulam, J. Through the respective Criminal Appeals No. 1255 & 1307 of 2015 under Section 25 of the Anti-Terrorism Act, 1997 appellants Rashid Naeem and Qamar Adnan have challenged the vires of judgment dated 15.06.2015 passed by the learned Judge, Anti-Terrorism Court, Faisalabad in case FIR. No.04 dated 02.01.2014, in respect of offences under Sections 302, 324, 386 & 34 PPC and Section 7 of the Anti-Terrorism Act, 1997 registered at Police Station, Balochani, District Faisalabad whereby they were convicted and sentenced as under:-

Appellant Rashid Naeem:-

Under Section 302(b)/34 PPC

Death with compensation of Rs.5,00,000/- to the legal heirs of deceased Muhammad Arshad u/s 344-A Cr.P.C., in default thereof, to further undergo simple imprisonment for six months.