60

## IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

3//25

## **Present:**

Mr. Justice Athar Minallah Mr. Justice Irfan Saadat Khan

Mr. Justice Malik Shahzad Ahmad Khan

## Jail Petition No.69 of 2023

Against the judgment dated 08.12.2022 passed by Lahore High Court, Rawalpindi Bench in Crl. A.

No.253/2019 and MR. No.16/2019

Kahlid Mehmood

...Petitioner(s)

**VERSUS** 

The State

...Respondent(s)

For the Petitioner(s):

Syed Khawar Ameeya Bukhari, ASC assisted by Rai Tajamal Hussain, AHC

For the State:

Mirza Abid Majeed, DPG, Punjab

For the Complainant:

Mr. Atif Farzauq Raja, ASC assisted by

Malik M. Shehryar, Advocate

Date of Hearing:

24.04.2025

## ORDER

Athar Minallah, J.- The petitioner has sought leave against the judgment of the Lahore High Court, Rawalpindi Bench dated 08.12.2022 whereby his appeal was dismissed. The petitioner was nominated in crime report No.53/2018 dated 23.05.2018, registered at Police Station Bahtar, He was alleged to have committed the murders of three victims. He was, therefore, tried under sections 302, 324 and 311 of the Pakistan Penal Code, 1860 (\*PPC\*). The Trial Court upon conclusion of the trial, convicted the petitioner under section 302(a) PPC and sentenced him to death as *Qisas* on three counts for committing *Qatl-i-amd* of Tasleem Bibi, Fehmeeda Bibi and Uzma Bibi. He was also directed to pay Rs.2,25,000/- to each of the legal heirs of afore-mentioned deceased-ladies under section 544-AA of the Code of Criminal Procedure, 1898 (\*Cr.PC\*). The

6

compensation was ordered to be recovered from the appellant as arrears of land revenue, and in default whereof he would suffer simple imprisonment for 06 months. The appellant was further convicted under section 324 PPC and sentence to rigorous imprisonment for 10 years with the direction to pay Rs.100,000/- payable to Abida Bibi, injured. He was also convicted under section 337-F(iv)PPC and sentenced to rigorous imprisonment for 05 years with the direction to pay *Daman* of Rs.50,000/- payable to Abida Bibi. The High Court upheld the conviction and sentence and consequently the petitioner's appeal was dismissed and the reference was answered in the affirmative.

- 2. We have heard the learned counsel on behalf of the petitioner, learned counsel for the complainant as well as the Additional Advocate General, Punjab and also perused the record with their able assistance.
- 3. The occurrence in this case has taken place in the house of Riasat Ali (PW-7). The occurrence had led to unnatural deaths of three women. The ocular account was deposed by Riasat Ali (PW-7), Darya Khan (PW-5) and Mst. Abida Bibi (PW-6). The latter had also suffered injuries during the occurrence. The deposition of the three witnesses was consistent in all material facts and has been found to be reliable, trustworthy and confidence-inspiring. The medical evidence was brought on record by Dr. Marium Jalil (PW-10) and Dr. Sara Asad (PW-11). In this case the petitioner was arrested on 08.6.2018 and he led to recovery of the firearm weapon. The report of the Forensic Science Laboratory The charge in this case was framed on 14.11.2018 and the petitioner had pleaded guilty. Moreover, the petitioner in his statement recorded under section 342 of the Cr. PC had explicitly admitted the prosecution's story and his guilt as well. The prosecution had established its case and the guilt of the petitioner without reasonable doubt. The learned counsel assisting us on behalf of the petitioner has not been able to point out any misreading or



nonreading of evidence so as to require interference with the concurrent findings of the two courts below. The learned counsel was not able to persuade us that a question of law has arisen in this case. Consequently, leave is refused and the petition is, therefore, dismissed.

ISLAMABAD

"Not Approved for Reporting"

PSISING