

**IN THE SUPREME COURT OF PAKISTAN**

(Appellate Jurisdiction)

**Present:**

Mr. Justice Iftikhar Muhammad Chaudhry, CJ  
Mr. Justice Ijaz Ahmed Chaudhry  
Mr. Justice Gulzar Ahmed

**Criminal Petition No.213 of 2013**

[On appeal against the order dated 17.05.2013,  
passed by the Lahore High Court, Lahore, in  
Crl.Misc.No.701-H/2013]

Mst. Rasoolan

***Petitioner(s)***

**VERSUS**

SHO, Head Marala, Sialkot etc

***Respondent(s)***

Petitioner	:	In person
For Respondents No.1,3 & 5	:	Mr. Jawwad Hassan, Addl.A.G. Mr. Muhammad Gohar Nafees, DPO, Sialkot. Mr. Muhammad Shahbaz, DSP (L) Mr. Safdar Hussain, Inspector/SHO, P.S. Head Marala, Sialkot. Mr. Muhamad Zubair, SI, PS Head Marala. Ms. Nazia, Lady Constable with the detenues Muhammad Ashraf, Muhammad Akram, Aman Ullah, Asma Bibi, Uzma Rani, Rafia Rani, Azhra Rani and Sufian.
For Respondents No.2 & 4	:	NR
Date of Hearing	:	03.07.2013

**ORDER**

**IFTIKHAR MUHAMMAD CHAUDHRY, CJ.**—In response to our order dated 27.06.2013, Mr. Gohar Nafees, DPO, Sialkot, appeared and produced the alleged abductees namely Aman Ullah, Muhammad Akram, Rafia Rani and Azhra Rani (minors) aged about 4-5 years. According to him, they were available on the brick Killen of Naveed Elahi Gujjar at Kotli Sattian, Sialkot,

where they were living of their free will. However, when we inquired from Aman Ullah, the alleged abductee, as to how he has reached at the brick killen of Naveed Elahi Gujjar, he explained that he had received an advance ( ) of Rs.200,000/- from one Muhammad Asghar the owner of brick killen at Head Marala, Sialkot, who sent him to Gujranwala on the brick killen of Rana Mehmood ul Hassan and he paid an amount of Rs.400,000/- to Muhamad Asghar. Subsequent thereto Rana Mehmood ul Hassan sent him, his brother and two minors again to Sialkot on the brick killen of Naveed Elahi Gujjar, who had paid an amount of Rs.400,000/- to Rana Mehmood ul Hassan. As far as the minors are concerned, according to him they were also living with him on the same brick killen. Both the minors have been produced in the Court, they seem to be children of 4-5 years old. Therefore, we inquired from a lady namely Mst.Asma, who has also been produced in the Court, she stated that she was also living on the same brick killen but after some time she changed her statement and deposed that she along with her son namely Sufian aged about 5-6 years and a suckling daughter namely Uzma as well as Muhammad Ashraf, who is brother of Aman Ullah, were recovered from Minar-e-Pakistan. In the report which has been submitted by the DPO, there are two contradictions, one of them has been mentioned herein above relating to the confinement and abduction against payment of paishgi by Aman Ullah and others

and second is in respect of the recovery of Muhammad Ashraf and Mst. Asma from the jurisdiction of Police Station Lorry Adda, Lahore, where according to the report of the DPO, they were found near gate No.1 of Minar-e-Pakistan, Lahore.

2. Prima-facie, false statement has been placed on record under the signatures of the DPO, as the contents of the report are not supported by the facts noted herein above including the one that how it was possible for him to effect the recovery from gate No.1, Minar-e-Pakistan, Lahore, when he himself is saying that they are resident of village chharar, Ghazi Road, Lahore Cantt. Such statement cannot be accepted which has been filed without any basis and apparently is far away from the truth which is now coming on record. On our query, he has placed on record extract of report No.36, Police Station Lorry Adda, Lahore, where Safdar Hussain, Inspector/SHO Police Station Head Marala, Sialkot visited the said Police Station for the purpose of effecting recovery of Mst.Asma and others. The relationships in this report have also been written incorrectly. We inquired from Muhammad Akram, who was stated to be with them that how he is happened to be at gate No.1 of Minar-e-Pakistan, he stated that he is resident of village chharar from where he came along with rickshaw driver and Mst. Asma also accompanied them along with her suckling child Uzma and Sufian aged about 4/5 years. Similarly, he has also placed on record another report compiled

by Safdar Hussain, Inspector/SHO, for effecting recovery of Muhammad Ashraf, Mst. Asma, Sufian and Uzma from gate No.1 of Minar-e-Pakistan, Lahore. The same may be kept on record. Apparently contradictory and false statement has been filed without conducting thorough inquiry by the DPO, under his signatures.

3. In such view of the matter, we direct the Inspector General of Police, Punjab, to take cognizance of this matter and submit a comprehensive report by appearing in person on 8<sup>th</sup> July, 2013. A copy of this order along with the reports and annexures which have been placed on record be sent to him.

4. The DPO is also directed to place on record the report of departure of Safdar Hussain from his Police Station to Police Station Lorry Adda, Lahore, on 29.06.2013.

5. As the detenues mentioned hereinabove have been recovered, therefore, to their extent no further proceedings are called for.

6. Adjourned to 08.07.2013.

**Chief Justice**

**Judge**

Islamabad  
03.07.2013  
\*Hashmi\*

**Judge**

