

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**

Mr. Justice Sh. Azmat Saeed, ACJ  
Mr. Justice Ijaz ul Ahsan  
Mr. Justice Qazi Muhammad Amin Ahmed

**Criminal Petition No.533 of 2019**

*(Against the judgment dated 22.4.2019  
passed by the Peshawar High Court, Bannu  
Bench in Criminal Miscellaneous B.A.  
No.123-B/2019).*

***Alamgir Khan***

...Petitioner(s)

**VERSUS**

***The State and another***

...Respondent(s)

For the Petitioner(s) : Mr. Salahuddin Malik, ASC  
Mr. M.A. Sheikh, AOR

For the State : Mr. Zahid Yousaf Qureshi,  
Addl. A.G. KPK.  
Muhammad Alam, A.S.I.

Date of Hearing : 31.7.2019.

**ORDER**

**Qazi Muhammad Amin Ahmed, J.-** Alamgir Khan, petitioner herein, declined downstairs throughout, seeks admission to bail; he was surprised by a raiding party, within the precincts of Police Station Lakki Marwat, surreptitiously siphoning natural gas in a residential premises to unauthorizedly generate electricity being distributed to a large number of consumers in the neighborhood; he is also accused of criminally intimidating the contingent, brandishing a pistol on them, however took to the heels on arrival of police. Appliances being used, comprising electric generators, stabilizers with electric panels as well as other paraphernalia to power the system were secured *vide* inventory.

2. Position taken by the learned counsel for the petitioner requires an in-depth analysis, essentially on the

basis of evidence, yet to be recorded and thus falls far outside the barriers of tentative assessment. Statements of the witnesses, functionaries of the State with no animus or malice, duly corroborated by apparatus secured from the spot, constitute '*reasonable grounds*', within the contemplation of Section 497 of the Code of Criminal Procedure, 1898 to *prima facie* frame the petitioner with the charge that attracts the bar contained therein as Section 462-C of the Pakistan Penal Code, 1860 carries a punishment that may extend to ten years rigorous imprisonment. View taken by the Courts below being well within the remit of law is not open to any exception. Petition fails. Dismissed.

Acting Chief Justice

JUDGE

JUDGE

Islamabad, the  
31<sup>st</sup> of July, 2019  
Ghulam Raza/\*