

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT: MR. JUSTICE MIAN SAQIB NISAR, HCJ
MR. JUSTICE MANZOOR AHMAD MALIK
MR. JUSTICE IJAZ UL AHSAN

HUMAN RIGHTS CASE NO.1037-P OF 2018 AND
H.R.M.A.NO.17-G OF 2018

(in the matter of murder of 8 years old minor girl in Kasur)

In attendance:	Mr. Ashtar Ausaf Ali, AGP Mr. Shakil ur Rehman, AG Punjab Ms. Asma Hamid, Addl. AG. Pb. Mr. Mazhar Sher Awan, Addl. PG Pb. Dr. Ashraf Tahir, DG Punjab Forensic Science Agency Dr. Shahid Masood, Anchor News One TV Channel Mr. M. Amin, Father of Zainab a/w Mr. Aftab Bajwa, ASC Capt.(R) Arif Nawaz Khan, IGP Pb. Mr. Abu Bakar, Addl. IGP (Inv.) Pb. Mr. Muhammad Idrees, DIG/RPO Multan Convener of JIT Mr. Abdul Wahab Chaudhry, DIG Legal Pb. Mr. Saif ul Murtaza, AIG Legal Human Rights Punjab. Mr. Imtiaz Ali, DSP Legal Inv. Pb. Mr. Ahsanullah Chohan, DSP Inv. Pb. Mr. Shahid Siddique, DSP Legal Inv. Pb. Mr. Qadeer Ahmed, Inspector Legal Kasur. Rana M. Ilyas, SP Legal Sheikhpura Mirza Shahid Baig, DIG Prison
On Court's call	Mian Aamir, Chairman PBCA Mr. Arif Nizami, Channel 24 Mr. Mujeebur Rehman Shami, Dunya News Ch. Ghulam Hussain, Channel 24 Mr. Saleem Bukhari, Waqt TV Mr. Arif Hameed Bhatti, ARY Mr. Sohail Warraich, GEO TV Mr. Mazhar Abbas, Geo TV Mr. Fahad Hussain and M. Ayaz and Mansoor Ali Khan, Express Mr. Zia Shahid, CPNE Mr. I. A. Rehman Mr. Kamran Khan, Dunya News Mr. Kashif Abbasi, ARY Mr. Hamid Mir, GEO TV Madam Asma Sherazi, Ajj News

Madam Naseem Zahra, Channel 24
Mr. Aftab Ibal, Express News
Mr. Qayyum Siddiqui, GEO TV
Mr. Imran Waseem., Dunya TV

Date of Hearing: 28.01.2018

ORDER

Learned Additional Advocate General, Punjab states that the Joint Investigation Team (*JIT*) constituted for this case, has arrested one, Imran Ali, who has been remanded to the police custody for 14 days by the Anti-Terrorism Court Lahore. The head of JIT present in Court states that the investigation is in the progress and hopefully the Challan would be submitted before the Court of competent jurisdiction within a period of two weeks. The head of JIT is directed to ensure the early conclusion of the investigation in accordance with law.

2. Serious apprehensions have been expressed by a number of persons present in Court regarding security and safety of Imran Ali, accused. The Inspector General of Police Punjab and Inspector General of Prisons Punjab were directed on 25.01.2018 to ensure the security and safety of the accused, Imran Ali. The I.G. Police Punjab once again has given undertaking that he will personally ensure that no harm is caused to the accused namely Imran Ali while he is in police custody.

3. The Inspector General of Police Punjab is also directed to submit details/profiles of all the police officers/officials, who remained posted in those Police Stations in whose jurisdiction such like incidents took place during the last five years.

4. We have taken note that the Prosecutor General Punjab is not present in Court. He is directed to remain present in Court on all subsequent dates of hearing. He is further directed to

personally supervise the proceedings of the prosecution before the Trial Court at the time of hearing of the case.

5. We have been apprised that there are media talks and press conferences regarding this incident which may effect the fair investigation and proceedings before the learned Trial Court, therefore, we direct that all concerned, including the media houses/anchor persons shall act in a very responsible and cautious manner while expressing their views/opinions in the print and electronic media. We also restrain Mr. Muhammad Amin, father of the victim, his counsel Mr. Aftab Bajwa, learned ASC, the complainant of the case and all concerned from holding any press conference, appearing in talks shows or interacting with press or electronic media with regard to the present incident.

6. So far the accusations/allegations leveled by Dr. Shahid Masood are concerned, the learned Additional Advocate General Punjab present in Court states that the investigation team has probed into those allegations, particularly the allegations that the accused, Imran Ali, has 37 bank accounts. In this respect a report was requisitioned from the State Bank of Pakistan. In its report dated 27.01.2018 the State Bank of Pakistan has confirmed that the said accused, Imran Ali, has no bank account except a mobile account having only Rs.130/- in his credit.

7. So far as the issue of Dr. Shahid Masood is concerned, we have patiently heard the media personnel present in Court namely, Mr. Arif Nizami, Channel 24, Mr. Mujeibur Rehman Shami, Dunya News TV, Ch. Ghulam Hussain, Channel 24, Mr. Arif Hameed Bhatti, ARY TV, Mr. Sohail Warraich, Geo News, TV, Mr. Mazhar Abbas, Geo TV, Mr. Saleem Bukhari, Waqt TV, Mian

Aamir, Chairman PBCA, Mr. Fahad Hussain and Mansoor Ali Khan, Express News, Mr. Zia Shahid, Chairman CPNE, Mr. I. A. Rehman, Columnist, Mr. Kamran Khan, Dunya News TV, Mr. Kashif Abbasi, ARY TV, Mr. Hamid Mir, GEO TV, Madam Asma Sherazi, Ajj News, Madam Naseem Zahra, Channel 24, Mr. Aftab Ibal, Express TV. Dr. Shahid Masood, has been heard twice in detail and ample opportunity has been afforded to him to explain his position.

8. In view of the serious accusations/allegations leveled by Dr. Shahid Masood in his television show “Live with Dr. Shahid Masood” telecast on 24.01.2018 on News One TV Channel and his media talk on 25.01.2018 outside this Court, we consider it appropriate to constitute the following Inquiry Committee to find out the truth and determine the veracity in the allegations leveled by Dr. Shahid Masood:

1. Mr. Bashir Memon, Director General, Federal Investigation Agency (FIA) (Head of the Committee.)
2. Mr. Anwar Ali, Joint Director, Intelligence Bureau, Islamabad. (Member)
3. Mr. Asmatullah Junejo. Assistant Inspector General (Operation Division) Islamabad Police. (Member)

The above Committee may associate any senior officer of the State Bank of Pakistan for probe into the alleged bank accounts of the accused, Imran Ali, and associate such other experts or officer/official that it may consider helpful for the purpose of conducting its inquiry and probing the issue raised by

Dr. Shahid Masood in his said programme and the statement given by him outside the Court premises. The Committee, after recording the statement of Dr. Shahid Masood, considering the material he desires to produce in support of his claim during the inquiry and collecting any other relevant material available from other quarters shall submit its report within a period of 30 days. The Committee shall check the veracity of the allegations and give a clear finding whether those allegations are correct or otherwise.

9. Mr. Shahid Masood present in Court is directed to fully cooperate with the Inquiry Committee and appear before the Committee as and when required by it. The Committee shall have the power to summon and examine the record/material from any Government Department, Agency, Authority etc. All such Departments/Agencies/Authorities/offices/officers of the Federal and Provincial Governments shall fully cooperate with the Inquiry Committee. The Committee shall submit its report to the Registrar of this Court within the period mentioned in para-08 supra.

Re-list.

CHIEF JUSTICE

JUDGE

JUDGE

LAHORE
28th January, 2018.

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