

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

**Bench:**

Mr. Justice Athar Minallah  
Mr. Justice Irfan Saadat Khan  
Mr. Justice Malik Shahzad Ahmad Khan

**Jail Petition No.116 of 2020 and  
Criminal Petition No.74-K of 2020**

(Against judgment dated 09.04.2020 of the High Court of Sindh, Karachi passed in Spl. Crl. Anti-Terrorism Appeals Nos.14 of 2007, 42 of 2014 and Confirmation Case No.04 of 2007)

Abdul Aziz Khan	...	(in JP-116/2020)
Mangla Khan	...	(in JP-116/2020)
The State through Prosecutor General, Sindh	...	(in Crl.P.74-K/2020)

**Petitioners**

***Versus***

The State	...	(in JP-116/2020)
Abdul Hameed Bugti	...	(in Crl.P.74-K/2020)

**Respondents**

For the Petitioner(s): Sheikh Jawaid Mir, ASC (in JP-116/2020 & also for respondent in Crl.P.74-K/2020)  
*(From Karachi Registry via video-link)*

For the State: Mr. Siraj Ali Khan, Additional Prosecutor General, Sindh along with Farooq Umar, complainant.

Date of hearing: 29.09.2025

**O R D E R**

**Athar Minallah, J.-** The **appellants**, Abdul Aziz Khan and Mangala Khan, are brothers and sons of Gella Khan. They were formally arrested in this case more than twenty years ago, when they were approximately twenty-seven and thirty-seven years of age, respectively. They were alleged to have been involved in one of the most serious and heinous offences, terrorism. After remaining incarcerated for over two decades, they have now been acquitted, consequently, the judgments of the High Court and the trial court dated 09.4.2020 and 31.05.2007 respectively were set-aside through our short order of even date. Through the same short order Criminal Petition No.74-K of 2020 filed by the State through Prosecutor General Sindh challenging the

acquittal of Abdul Hameed Bugti by the High Court vide judgment dated 09.4.2020, was dismissed. Another co accused Behram Dagh Bugti, was declared an absconder by the trial court. These are the detailed reasons of our short order.

2. A bomb explosion occurred outside the branch of Muslim Commercial Bank ('MCB') on the front side of the PIDC House at about 8:45 am on 15.11.2005. The blast caused the deaths of five innocent citizens, grievous injuries to more than twenty others, and extensive damage to both movable and immovable property. It was a horrific act of terrorism. The site plan prepared by Jamil Ahmed, Tappedar (PW-19), shows that the offices of Karachi Electric Supply Company, an outlet of a fast-food chain, Kentucky Fried Chicken and branches of various commercial banks were located on the front side of the PIDC Building where the bomb exploded. Crime report no.145/05 was registered at 10.30 am on the same day upon information received from Farooq Umar, SIP/SHO, Police Station Artillery Maidan, Karachi. He reported that he reached the scene immediately after the explosion and observed that the bomb had been planted in a "Suzuki Mehran Plus" vehicle bearing a fake number plate, "AEG-087" while its original registration number was ACB-490 as confirmed by the engine number. The vehicle had been completely destroyed, and its engine was found across the road from the point of explosion. The details of the damage and of the injured persons were recorded in the complaint. It was also reported that the vehicle had been parked outside MCB branch at 'unknown time'. The two witnesses, Zahir Shah (PW-25) and Muhammad Ashraf, Traffic Constable (PW-26) who claimed to have seen the persons parking the vehicle and then boarding another car, were not mentioned in the crime report nor was any reference made to them at that stage. According to the prosecution, Muhammad Tariq,

Inspector (PW-30) was appointed as the Investigating Officer of this case. He visited the scene after the explosion and stated in his deposition, that he was informed that CCTV cameras were installed outside the PIDC House. He obtained a CCTV footage which was recorded on a compact disc and later exhibited at trial as Ex.37. On 16.11.2005, Inspector Tariq claimed to have received information from Inspector Aijaz Qaim Khani, SHO Police Station Gulshan-e-Iqbal, that the latter had arrested three persons, Aziz Khan son of Gella Khan, Mangla Khan son of Gella Khan and Abdul Jabbar son of Hazoor Bakhsh in crime report No.584/2005 registered within his jurisdiction under sections 4 and 5 of the Explosive Substances Act. 1908 ('**the Act of 1908**'). It was further alleged that these individuals had confessed their involvement in the PIDC House explosion. Inspector Aijaz Qaim Khani, SHO Police Station Gulshan-e-Iqbal did not appear as a witness during trial. Zafar Iqbal, Sub-Inspector ADRC Saddar CIA, Karachi (PW-20) deposed that the three persons were arrested while travelling in a white car, and explosives were allegedly recovered from their possession. He had further stated that their custody, along with the recovered explosives, was handed over to officials of Police Station Gulshan-e-Iqbal. The appellants and the third accused were formally arrested in this case by Muhammad Tariq, Investigating Officer (PW-30) on 16-11-2005 and a 'white corolla car' bearing registration number AJE-056 was also seized. On 23.11.2005, the test identification parade was conducted under the supervision of Khushi Muhammad, Judicial Magistrate (PW-24). The witnesses failed to identify Abdul Jabbar who was consequently released on 24.11.2005 under section 497(2) of Code of Criminal Procedure, 1898 ('**Cr.P.C.**') On 04.12.2005, the appellants were again produced before the same Magistrate who recorded their confessional statements under section

164 of Cr.P.C. The appellant Aziz Khan allegedly stated that they had committed the terrorist act 'on the asking of Sardar people' and had parked the white vehicle laden with explosives outside the PIDC House. The appellant Mangla Khan, stated that they had acted at the instance of Sardar Bugti. The two accused, Abdul Hameed Bugti and Behram Dagh Bugti were declared absconders by the trial court. The Investigating Officer concluded the investigation and submitted the report under section 173 of Cr.P.C. following which the trial court framed charges vide order dated 16.04.2007. Both appellants pleaded not guilty and claimed trial. The prosecution examined thirty witnesses. The statements of the appellants were recorded under section 342 of Cr.P.C. wherein they professed innocence and claimed false implication by the police. They neither opted to testify on oath nor produce any evidence in their defense. The trial court, upon conclusion of the trial, vide judgment dated 31.05.2007 convicted the appellants under section 265-H (2) of Cr.P.C. for offences under sections 7 (a) and 7(b) of the Anti-Terrorism Act, 1997 ('**Act of 1997**') and sections 3 and 4 of the Act of 1908 read with section 7 of the Act of 1997. They were sentenced to death on four counts under section 7(a) of the Act of 1997 and ordered to be hanged by the neck till dead. They were further convicted under section 7(c) of the Act of 1997 and sentenced to rigorous imprisonment for ten years on twenty-one counts along with a fine of Rs.50,000/- for each injured person. Additionally, they were sentenced to imprisonment for life under section 3 of the Act of 1908 and their entire properties were ordered to be forfeited to the Government under section 5-A of the Act of 1908. Under section 7 (d) of the Act of 1997 they were sentenced to imprisonment for ten years with a fine of Rs.50,000/- each and under section 7 (i) of the Act of 1997 to five years rigorous imprisonment with fine of Rs.10,000/-

each. The trial court directed that all sentences run concurrently and further ordered payment of Rs.200,000/- as compensation to the legal heirs of each deceased under section 544-A of Cr.P.C. or in default, to undergo six months rigorous imprisonment. The reference for confirmation of the death sentences was answered in the affirmative by the High Court. The High Court vide the impugned judgment dated 09.04.2020 upheld the convictions and the sentences awarded by the trial court. It is noted that Abdul Hameed Bugti was arrested on 29.6.2007 and tried separately. He was convicted and sentenced by the trial court vide judgment dated 10.6.2014. His appeal was allowed by the High Court vide judgment dated 09.4.2020 and he was acquitted of all the charges.

3. We have heard the learned counsel for the appellants, who appeared via video link from Karachi and the Additional Prosecutor General, Sindh who was assisted by the complainant, Farooq Umer (PW-4). With their able assistance, we have undertaken a complete and independent re-appraisal of the entire evidence available on record.

4. The occurrence in this case was undoubtedly an act of terrorism, resulting in the unnatural deaths of five innocent citizens and grievous injuries to more than twenty victims. The crime report was registered pursuant to a complaint lodged by SIP/SHO Farooq Umer (PW-4) who had reached the crime scene along with other officials immediately after hearing the explosions. To establish its case, the prosecution relied primarily on the testimonies of two witnesses, the test identification parade, and judicial confessions of the appellants recorded under section 164 of the Cr.P.C. We first take up the testimonies of the two witnesses who claimed to have been present at

the crime scene and to have seen the appellants parking the car loaded with explosive material before leaving in another car. One of these witnesses, Muhammad Ashraf (PW-26) was a traffic constable who deposed that he was performing his duty in front of the PIDC House, the place of occurrence. Tariq Javed, ASI (PW-21) claimed to be in charge of the PIDC traffic post and testified that he was also present when the explosion occurred. According to him, Muhammad Ashraf (PW-26) had been assigned traffic management duties at the scene. The latter, however, unambiguously stated that after the explosion he returned to the site from the traffic post and remained there until other officials arrived. It remains unexplained why he did not inform the complainant, SIP Farooq Umer (PW-4) that he had allegedly seen the perpetrators prior to the explosion. Being an officer of the same department and admittedly present at the scene, his omission is significant, particularly since the crime report is silent about his presence. Mohammad Ashraf (PW-26) deposed about the time when the vehicle was parked by two persons, whereas the complainant had reported that the vehicle had been parked at 'unknown' time. Except for the statement of Tariq Javed, ASI (PW-21) the prosecution brought no independent evidence to prove that Mohammad Ashraf (PW-26) was actually assigned duties at the crime scene at the relevant time. He further stated that he noticed a white car wrongly parked but took no action, and although he claimed to have seen two persons parking another car and then boarding the wrongly parked one, he did not provide any particulars such as registration numbers or distinctive details of the vehicles. According to the testimony of Khushi Mohammad (PW-24), the Judicial Magistrate who supervised the test identification parade, Mohammad Ashraf (PW-26) identified the appellants but did not describe their respective roles. The other

eyewitness, Zahir Shah (PW-25) a taxi driver claimed to have seen the appellants parking the car and leaving in another car. Mohammad Asfraf (PW-26) had stated that he had directed Zahir Shah (PW-25) to remove his taxi. The prosecution did not produce credible evidence to establish that the latter was a taxi driver. He had stated that after being told to remove the taxi, he parked it across and remained there until after the explosion the police officials allowed him to leave. In cross examination, he admitted that he had not described the features or characteristics of the alleged perpetrators except their 'accent.' His own deposition, however, reveals that he neither spoke to the two persons who parked the vehicle nor to the driver of the other vehicle, leaving no occasion to judge their accent. He also stated that the police arrived after the explosion, yet his presence was not mentioned by the complainant or any other officer. It is noteworthy that although CCTV recordings from outside the PIDC House were available, only a small and insignificant portion was exhibited during the trial. The rest was withheld for reasons best known to the Investigating Officer and the prosecution. Had the complete footage been produced, it might have revealed whether these witnesses and the appellants were indeed present at the scene at the relevant time. In these circumstances, the testimonies of Mohammad Ashraf (PW-26) and Zahir Shah (PW-25) are not confidence inspiring and their presence at the crime scene remains doubtful. The description of the vehicle as 'biscuity-colored' Suzuki Mehran by Zahir Shah (PW-25) was inconsistent with other evidence. Similarly, the testimony of Tariq Javed, ASI (PW-21) is unreliable. If he was indeed present after the explosion, there was no reason for him not to inform the complainant or other officers that he was an eyewitness. The testimony of the complainant (PW-4) further casts

doubts on the credibility of the alleged eyewitnesses who claimed to have seen the perpetrators.

5. The next piece of crucial evidence relied upon by the prosecution was the identification of the appellants through a test identification parade. The proceedings were conducted by Khushi Muhammad, Judicial Magistrate (PW-24). It is an admitted position, and was explicitly conceded in his cross examination that separate parades were not held, instead a joint proceeding was conducted to identify the three accused, who were made to stand among twelve dummies. The dummies did not possess similar features or characteristics. The record also indicates that the accused were seated in the corridor outside the court room, raising a strong likelihood that they were exposed to the witnesses before the identification. Another crucial aspect concerns the custody of the appellants prior to their identification. They were arrested by CIA officials on 16-11-2005 and kept in the lock up of Police Station Gulshan-e-Iqbal until they were formally arrested in this case and later produced before the Judicial Magistrate. The Judicial Magistrate did not record what precautionary measures were taken to ensure that the witnesses had no opportunity to see the accused beforehand. Moreover, the respective roles of the appellants were neither described by the witnesses nor recorded in the memo. The test identification parade, therefore, lost its evidentiary value as it was conducted in disregard of the principles and settled law of this Court<sup>1</sup>.

6. It is well settled that an identification parade as one of the methods of proof contemplated under Article 22 of the Qanun-e-

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<sup>1</sup>Kanwar Anwaar Ali (PLD 20198 SC 488

Shahadat Order, 1984 ('**Order of 1984**')<sup>2</sup>, must be conducted with scrupulous care to achieve its object-namely, to enable a witness to identify the person involved in a crime and to exclude the possibility of a witness merely confirming a vague impression or faint recollection <sup>3</sup>. This Court has consistently held that the process must be carried out having regard to the exigencies of each case in a manner that is fair and does not indicate any collusiveness. Moreover, the identification parade is merely a corroborative piece of evidence<sup>4</sup>. As already noted above, the test identification proceedings held in this case were not in consonance with the principles and law laid down by this Court nor the manner in which it was conducted could be termed as fair and genuinely leading to the identification of the actual perpetrators of the crime.

7. The prosecution has relied on the judicial confessions of the appellants recorded under section 164 of Cr.P.C. The appellants were arrested on 16.11.2005 by officials of the CIA and, their custody was handed over to the incharge of Police Station Gulshan-e-Iqbal. As noted earlier, their arrest is shrouded in mystery. Zafar Iqbal (PW-20) Sub-Inspector ADRC Saddar CIA, Karachi deposed that three persons travelling in a white car, including the appellants and one Abdul Jabbar, were stopped on suspicion and that a search led to recovery of explosives. However, he gave no plausible explanation for such suspicion. The suspects were taken to the Police Station Gulshan-e-Iqbal where crime report was registered. The prosecution alleged that they confessed to their involvement in the PIDC explosion. Yet, the incharge of the Police Station Gulshan-e-Iqbal, was not produced as a witness. No credible evidence was produced to prove the bonafides of

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<sup>2</sup>Muhammad Siddique and others v. The State (2020 SCMR 342)

<sup>3</sup>Javed Khan Bacha v. the State (2017 SCMR 524)

<sup>4</sup>Subha Sadiq v. The State (2025 SCMR 50)

the arrest. It is difficult to believe that persons involved in a crime of this magnitude would confess their guilt voluntarily the very next day after the occurrence. If they were truly willing to confess, there was no reason to delay the recording of their judicial confessions. They were produced before the Judicial Magistrate on 23.11.2005 for identification purposes, but there is nothing on record to suggest that they then expressed any intention to confess. It was only on 04.12.2005, nearly three weeks after their arrest that they were allegedly willing to do so, and their statements were recorded by the Judicial Magistrate i.e. Khushi Muhammad (PW-24) on 05.12.2005. In these statements, they provided no details of the crime, merely asserting that the explosion was carried out at the instance of certain 'Sardars'. Aziz Khan mentioned a white car laden with explosives, but this was contradicted by Zahir Shah (PW-25), who in his deposition had described the car as 'Biscuity' colour Suzuki Mehran. The Judicial Magistrate who had recorded these confessional statements had also not adopted the precautionary measures emphasized by this Court in various judgments to ensure voluntariness. The delay and surrounding circumstances create serious doubt that the confessions were made voluntary. Even otherwise, the statements do not amount to admission of guilt, for they neither gave details of the commission of the offence nor name any particular individual. The prosecution also failed to produce any evidence showing contact between the appellants and the alleged 'Sardars'. Notably, one of the two persons later tried on this allegation was acquitted by the High Court for want of evidence. The appellants, moreover, retracted from the purported confessions.

8. This Court has consistently held that a judicial confession can be made the basis for a conviction when it is found to be true, convincing and made voluntarily without any duress, coercion,

inducement or any other influence of whatever nature. The fundamental principle is that the evidentiary value of the statement rests on the voluntariness of the confession. There must not be any sign of fear inculcated by the investigating agency in the mind of the accused and any such fear or apprehension must have been removed by assuring the accused that, even if he confesses his guilt, he shall not be handed over to the police authorities. It is the court's responsibility to take all precautionary measures to ensure that the confession is made voluntarily and without any influence of any kind. In case the confession is a result of inducement, threat or promise or influence of any other kind, whether direct or indirect, given by a person in authority, then it shall not be treated as having been given voluntarily. A confession recorded may be true but it would not be admissible if it has not been given voluntarily. Whether or not a statement is true and has been made voluntarily is a question of fact and it is to be determined keeping in view the attending circumstances of each case<sup>5</sup>. A voluntary and true recorded confession, though, does not require corroboration and it may also be sufficient for conviction but, as a rule of procedure and prudence, the court requires to seek corroboration in material particulars<sup>6</sup>. A lapse on the part of a Magistrate in recording the confessional statement may not always be treated as fatal to the evidentiary value of a confession, provided the court is satisfied that the lapse had in no way adversely affected the voluntariness and truthfulness of the confession<sup>7</sup>. The delay in recording a confessional statement after remaining in the custody of the police officials must be carefully examined because it raises doubts whether it was out of free will or duress and influence. The prosecution

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<sup>5</sup> Azeem Khan and another v. Mujahid Khan and others (2016 SCMR 274), Sh. Muhammad Amjad v. The State (PLD 2003 SC 704).

<sup>6</sup> Majeed v. The State (2010 SCMR 55)

<sup>7</sup> Majeed v. The State (2010 SCMR 55), Ch. Muhammad Yaqoob and others v. The State and others (1992 SCMR 1983) and Mst. Naseem Akhtar and another v. The State (1999 SCMR 1744)

has to prove its case against an accused beyond a reasonable doubt irrespective of any plea raised by an accused in his defense and the prosecution cannot fall back on the plea of an accused to prove his or her case. If the prosecution fails in proving its case the accused has to be acquitted. The stage to consider the plea of the accused precedes proving his guilt beyond a reasonable doubt.<sup>8</sup> When the prosecution's story has been rejected by the court and the confessional statement is the only material on which an accused has to be convicted then the same has to be either accepted as a whole or rejected as a whole. It is not open for a court to accept only part of it and reject the rest.<sup>9</sup>

9. The appellants had not provided any details as to how they were allegedly in contact with the 'Sardars'. The prosecution also failed to investigate this crucial aspect, leaving unexplained how the absconding accused, Abdul Hameed Bugti and Behram Dagh Bugti came to be nominated in the case. As already noted, Abdul Hameed Bugti was subsequently tried and acquitted by the High Court. In the facts and circumstances of this case, the statements of the appellants recorded under section 164 of Cr.P.C. cannot be regarded as voluntary confessions made out of free will.

10. Another most significant aspect of this case raises serious questions regarding the integrity and fairness of the investigation. The place of occurrence was situated outside the PIDC House, where branches of several commercial banks, an outlet of the international fast food chain, Kentucky Fried Chicken, and office of Karachi Electric Supply Company were located. Despite this, the investigating officer made no meaningful effort to ascertain whether CCTV cameras were installed outside these premises. The only footage obtained was a portion of footage recorded by a camera installed in the front of the

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<sup>8</sup> *Shamoon alias Shamma v. The State* (1995 SCMR 1377).

<sup>9</sup> *Naseer Hussain v. Nawaz and others* (1994 SCMR 1504).

PIDC House. It is not disputed that this camera was functional, however, the evidence shows that the footage obtained was limited only to the moment of the explosion and the subsequent destruction. The available evidence clearly suggests that the cameral had recorded the entire sequence of events, yet the investigating officer offered no explanation as to why the entire footage was not obtained or preserved which could have shown the presence of the witnesses or the perpetrators parking the car. This omission raises a strong inference that the prosecution had deliberately withheld crucial evidence which may have demonstrated the innocence of the appellants. Under Article 129 of the Order of 1984 an adverse inference can be drawn when evidence that exists and is available but is not produced at trial then if it had been produced it would not have supported the prosecution's case. The prosecution had withheld the best available evidence.<sup>10</sup>

11. In view of the foregoing discussion, the testimonies of the two star witnesses, Zahir Shah (PW-25) and Muhammad Ashraf (PW-26) are not confidence inspiring and reliable. The arrest of the appellants remains shrouded in mystery and the test identification parade was not worthy of reliance. Likewise, the statements recorded under section 164 of Cr.P.C. fail to meet the standard of voluntary confession made out of free will. The prosecution also failed to secure and tender the most crucial evidence, the CCTV footage prior to the detonation of the explosives and that too without offering any plausible explanation. Consequently, the prosecution had, therefore, failed to prove its case against the appellants.

12. It is a matter of profound concern that these two appellants who were young when they were apprehended, were compelled to endure

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<sup>10</sup> *Lal Khan v. The State* (2006 SCMR 1846), *Zafar Abbas v. The State* (2010 SCMR 939), *Riasat Ali v. The State* (2024 SCMR 1224), *Muhammad Rizwan v. The State* (2025 SCMR 762).

more than two decades of imprisonment despite the absence of evidence against them. The record reveals that the incident in question was a heinous act which claimed innocent lives, grievously injuring several citizens, and had also caused extensive damage to property. Yet, despite the gravity of the offence and the magnitude of its human and social cost, the investigation failed to meet even the most basic standards of fairness and diligence. No serious or meaningful efforts appear to have been made to trace or bring to justice the actual perpetrators of this atrocious crime. Instead, two young citizens, barely in their twenties and thirties, appear to have been made scapegoats and condemned to spend the prime of their lives behind bars. During this long period of wrongful incarceration, they must have been subjected to conditions, no human being should be forced to endure. The consequences of this miscarriage of justice definitely are profound and irretrievable. The loss of over twenty years of their lives, destruction of careers and livelihoods, deprivation of family and social relationships and above all deep psychological trauma that is an inevitable consequence of such prolonged and unjust imprisonment. The enduring scars on their dignity, identity and capacity to rebuild their lives must have become part of their lives even after acquittals. The ordeal of the appellants does not reflect well on the courts either. With the kind of evidence that was presented by the prosecution, this matter should not have proceeded beyond the stage of the High Court. The trial itself and the subsequent appeal before the High Court had consumed an inordinate amount of time. The delay in the fixation of this case before a Bench of this Court remains unjustified. It is the duty of the courts as guardians of the Constitution to ensure that the process of justice does not itself become an instrument of oppression. This tragic suffering of the appellants is an indictment of the criminal

justice system and a grave breach of the States duty of care towards its citizens. The authority of the State exercised through its investigation, prosecution and judicial organs carries with it a corresponding obligation to safeguard the life liberty and dignity of every person. Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973 reinforces this principle by recognizing a constitutional right to compensation for tortuous acts of the government and public functionaries. It establishes a constitutional remedy against public wrongs and ensures that the State cannot act with impunity when its failures cause harm to the citizens.

13. In the light of the constitutional mandate, it is incumbent upon the government(s) as representatives of the State to take immediate and effective steps to remedy the grave injustice suffered by these two appellants and many others who have endured similar miscarriages of justice. Their compensation, rehabilitation and assistance for their reintegration into the society are acts of constitutional obligation and not charity. In several jurisdictions, mechanisms have been set out through enactment of legislation to compensate, rehabilitate and assist those who have become victims of miscarriage of justice. The respective governments may consider proposing legislation aimed at compensating, rehabilitating and assisting victims of miscarriage of justice and to hold public functionaries accountable when breach of duty on their part is established.

**Criminal Petition No.74-K of 2020:**

12. We have heard the learned Additional Prosecutor General Sindh at length, but he failed to point out any instance of misreading or non-reading of evidence that could warrant interference with the impugned judgment dated 09.4.2020 of the High Court whereby the respondent, Abdul Hameed Bugti was acquitted from the charge framed against

him. It was in essence a case of no evidence and the verdict of acquittal handed down by the High Court is unexceptionable. It is settled law that considerations for deciding a matter challenging acquittal and conviction are distinct. A verdict of acquittal cannot be upset if a different opinion can be formed after appreciation of evidence brought on record.<sup>11</sup> Acquittal carries presumption of double innocence and it could only be interfered with if the reasoning in support thereof are found to be blatantly perverse, illegal, arbitrary, capricious, speculative, shocking or rest upon impossibility.<sup>12</sup> Moreover, a finding of acquittal is resorted to exceptionally.<sup>13</sup> The scope of interference is profoundly narrow and limited.<sup>14</sup> Since no question of law has arisen for our consideration, leave to appeal is refused and consequently this petition stands dismissed.

Judge

Judge

Judge

Islamabad the  
16<sup>th</sup> September 2025  
**"Approved for Reporting"**  
(Aamir Sh./Habib, Law Clerk)

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<sup>11</sup> *Mst. Askar Jan v. Muhammad Daud* (2010 SCMR 1604), *Jehangir v. Aminuallah* (2010 SCMR 491), *Haji Amanullah v. Munir Ahmed* (2010 SCMR 222).

<sup>12</sup> *State v. Ahmed Omar Sheik* (2021 SCMR 873).

<sup>13</sup> *The State v. Anwar Saifullah Khan* (PLD 2016 SC 276).

<sup>14</sup> *State v. Abdul Khalq* (PLD 2011 SC 554).