

*Form No: HCJD/C-121.*  
**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

Criminal Appeal No. 147 of 2019

The State through Advocate General, Islamabad  
**Vs**  
Syed Faisal Raza Abidi, etc.

<b>S. No. of order/ proceedings</b>	<b>Date of order/ proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
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<u>11-02-2020.</u>	Mr. M. Atif Khokhar, State Counsel. Mr. Nadeem Mughal, S.I, P.S Secretariat, Islamabad.
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Through this consolidated order, we shall decide the instant appeal along with Criminal Appeal no. 148/2019 titled "The State through Advocate General, Islamabad vs. Syed Faisal Raza Abidi, etc."

2. These appeals have been preferred against judgments, dated 02.05.2019, whereby the respondents have been acquitted in two separate criminal cases i.e. FIR no. 219, dated 09.10.2018 and FIR no. 203, dated 19.09.2018, respectively.

3. The learned State Counsel has been heard at length and despite his able assistance, he was not able to persuade us

that the impugned judgments suffer from any legal infirmity or the reasoning for acquittal are perverse.

4. It is settled law that presumption of "double innocence" is attached where an order of acquittal of an accused is challenged. The presumption of "double innocence" can be rebutted if it could be shown that the order was passed as a result of misreading or non-reading of evidence or the same was patently illegal. It is also settled law that the appellate Court would not interfere with acquittal merely because on reappraisal of evidence a different conclusion or opinion could be formed. The finding of acquittal can only be reversed, upset or disturbed in exceptional circumstances such as when the same are perverse, shocking, alarming, suffering from error of jurisdiction or misreading or non-reading of evidence. Reliance is placed on case of Muhammad Zaman Versus The State and others [2014 SCMR 749], Muhammad Rafique Versus Muhabbat Khan and others [2008 SCMR 715], Jehangir Versus Amin Ullah and others [2010 SCMR 491], Mst. Askar Jan and others Versus Muhammad Daud and others [2010 SCMR 1604], Mst. Sughra Begum and another

Versus Qaiser Pervez and others [2015 SCMR 1142].

5. In the light of the principles and law highlighted by the august Supreme Court, we are satisfied that the impugned judgments do not require any interference and the appeals are accordingly dismissed.

(FIAZ AHMAD ANJUM JANDRAN) (CHIEF JUSTICE)  
JUDGE

Saeed.