

ORDER SHEET  
ISLAMABAD HIGH COURT  
ISLAMABAD

**Crl.Misc.No.510-B/2019**

Mst.Farzana Bibi

VERSUS

The State etc.

S.No. of order/ Proceeding	Date of hearing	Order with signature of Judge, and that of parties or counsel, where necessary.
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02.9.2019. Mian Saifullah, Advocate for petitioner.  
Ms.Saima Naqvi, State Counsel.  
Complainant in person.  
Mr.Tasneem, ASI, PS Noon, Islamabad.

Through this Criminal Miscellaneous application, the Petitioner has prayed for her post arrest bail in Case FIR No.307 dated 30.12.2018 under Sections 394/411/337A(i)/337F(i) PPC registered at Police Station Noon, Islamabad.

2. The brief facts referred in the FIR alleged by the complainant are that he is residing in House No.933, Street No.36, Sector I-14/4, Islamabad. On 21.12.2018 at about 11.15 a.m three ladies aged about 20 to 24 years entered in his house and assaulted his wife and extended threats while using knife (churri) and after tied her up snatched away cash, jewelry, mobile phone and 9 MM pistol and fled away.

3. Learned counsel for the petitioner contends that petitioner is innocent and has falsely been implicated in this case. He further contends that challan has been submitted in the Court and trial is in progress. It has been further contended that petitioner is behind the bars since 10.3.2019 and as such trial is not likely to be concluded in near future.

4. Conversely learned State counsel as well as respondent No.2 in person contend that petitioner has been identified during the course of identification parade conducted in Adyala Jail and recovery has been effected from the petitioner. It is further contended that petitioner is involved in other cases of similar

nature and is operating a gang with other co-accused. It has been lastly argued that challan has been submitted in the Court and trial is in progress.

5. Arguments heard. Record perused.

6. Perusal of record reveals that petitioner has been arrested in case FIR No.307/2018 dated 30.12.2018 under Sections 394/411/337A(i)/337F(i) PPC PS Noon, Islamabad with the allegation that she alongwith her co-accused while armed with knife (Churri) entered in the house of complainant and deprived the complainant's wife from her cash amount, jewelry, mobile phone and pistol 9 MM. The tentative assessment of record reveals that the petitioner was identified alongwith other co-accused by the victim Mst.Nasreen Akhtar wife of complainant during the identification parade conducted in Adyala Jail on 15.03.2019. The complainant wife namely Mst.Nasreen Akhtar was also injured in the alleged occurrence. The recovery of looted articles have been effected from the petitioner. The challan has been submitted in the Court on 05.4.2019. Charge has been framed and two prosecution witnesses have been recorded their statements. The learned State Counsel has apprised this Court that the case is fixed for recording of statement of alleged victim Mst.Nasreen Akhtar in this week and this case is proceedings on fast track. It has further been contended that the instant case shall be hopefully concluded at the end of this month.

7. The petitioner is allegedly involved in the heinous crime. The offence falls within the ambit of prohibitory clause of Section 497(1) Cr.P.C. No malice or ill will on the part of complainant or police has been surfaced against the petitioner and as such she is

not entitled for any concession of bail at this stage, therefore, instant petition is *dismissed*.

8. While relying on case law titled **Rehmatullah Versus The State and another (2011 SCMR 1332)** the learned trial Court seized with the criminal case FIR No.307/2018 dated 30.12.2018, under Sections 394/411/337A(i)/337F(i) PPC PS Noon, Islamabad is directed to conclude the trial of this case within a period of two months under intimation to this Court.

(MOHSIN AKHTAR KAYAN)  
JUDGE

M.S. ZAKI