

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

Writ Petition No.910 of 2020

Syed Anwar ud Din.

VS

Federation of Pakistan through Secretary, Ministry of Interior, Islamabad
and 07 others.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	07.09.2020.	Sahibzada Riazat ul Haq, Advocate for the petitioner.

The petitioner, in the instant petition,
has made the following prayers:-

*“It is, therefore, respectfully prayed
before this Honorable Court that the instant
writ petition may kindly be accepted and
necessary directions be issued to respondents
No.1&2 to take criminal action under army
act be taken against the respondents No.4-6
and criminal proceedings under P.P.C. be
initiated against respondent No.7 in illegal
confinement and for giving severe mental
torture to the entire family of the petitioner.
Moreover, security may kindly be provided to
the male and female members of the
petitioner’s family in order to save skin of the
petitioner from the tyranny of the
agencies/officials for supremacy of law,
equity and justice.*

*Any other relief which this Honorable
Court may deems fit and proper may also be
awarded to the petitioner.”*

2. Learned counsel for the petitioner,
inter-alia, contends that a direction be issued

to respondents No.1 and 2 to initiate proceedings against respondents No.4 to 6 for getting involved in unlawful activities. It was also contended that respondents No.4 to 6 exceeded their authority and are involved in unlawful activities and in this behalf an F.I.R. was also lodged bearing No.84 of 2019, Police Station Industrial Area, Quetta under Section 365/34 P.P.C.

3. Arguments advanced by learned counsel for the petitioner have been heard and the documents placed on record examined with his able assistance.

4. The relief, which the petitioner seeks, is mentioned hereinabove. Basically the same is twofold, one seeking direction for initiation of proceedings against respondents No.4 to 6 and secondly providing of protection to the family of the petitioner. In so far as the first part of prayer is concerned, the same is for initiation of criminal proceedings under the Army Act, 1956 as well as Pakistan Penal Code against respondents No.4 to 6. In this behalf, the incident due to which the petitioner seeks initiation of criminal proceedings is already reported and the matter is presumably under investigation (F.I.R. No.84/2019) by Police Station

Industrial Area, Quetta. The entire incident took place beyond the territorial jurisdiction of this Court and no interference can be made in the investigation/proceedings pending pursuant to the referred F.I.R. In so far as direction to respondents No.1 and 2 qua actions of respondents No.4 to 6 is concerned; the said relief is also not tenable due to abovementioned reasons. Moreover, one of the relatives of the petitioner also filed a petition before the Hon'ble Balochistan High Court, however, no order has been appended as to the fate of the petition but the referred Hon'ble Court seized of the matter if felt that any protection is needed could have ordered for initiation of the case. The petitioner, it seems, is based in Balochistan as well as his family, hence no order can be passed for providing of protection to the petitioner and his family there as the matter is beyond territorial jurisdiction of this Court.

5. In view of the above, the instant petition is without merit and is accordingly **dismissed** in *limine*.

(AAMER FAROOQ)
JUDGE

M. Zaheer Janjua