

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

Writ Petition No. 2479 of 2019

Zulfiqar Khan Lodhi, etc.
Vs
The State, etc.

| S. No. of order/ proceedings | Date of order/ proceedings | Order with signature of Judge and that of parties or counsel where necessary. |
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| 02. | <u>09-10-2019.</u> | Mian Ahmed Khan, Advocate for the petitioners. Syed Muhammad Tayyab, DAG. Mr. Zohaib, Inspector, FIA. |
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The learned Deputy Attorney General at the very outset has stated that report under section 173 of Criminal Procedure Code was submitted and thereafter the trial has commenced. The learned Deputy Attorney General while placing reliance on the judgment of the august Supreme Court in the case titled "DG Anti Corruption Establishment, Lahore and others v. Muhammad Akram Khan and others" [PLD 2013 S.C. 401] has argued that the instant petition is no more justiciable and that the petitioners may avail alternate remedies.

2. The learned counsel for the petitioners, on the other hand, has stated that the trial is

pending since 2012 and proceedings are being delayed because the prosecution has failed to produce witnesses. The learned counsel has further stated that in view of the law laid down by the august Supreme Court alternate remedies provided under the law will be availed before the learned trial Court.

3. In view of the above, the learned trial Court is expected to ensure that trial is completed within a reasonable time. The learned trial Court is further expected to regulate its proceedings in a manner that the prosecution does not delay the proceedings by seeking unnecessary adjournments.

4. The petition is disposed of in the above terms.

CHIEF JUSTICE

Saeed.