

**JUDGMENT SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**W.P No. 1736/2010**

Muhammad Aslam Chaudhry

Versus

The Senior Superintendent of Police, Islamabad Capital Territory, ISB etc.

Petitioner by: Mr. Muhammad Aslam Chaudhry, Advocate in person.

Respondent No.3 : Mrs. Sarkar Abbas, Advocate

State by: Mr. Fareed Hussain Kaif, State Counsel.  
Muhammad Ishaq, S.I.

Date of Decision: 27.09.2019

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**MOHSIN AKHTAR KAYANI J.** Through this writ petition, the petitioner has assailed the order dated 19.04.2010, passed by learned Additional Sessions Judge, Islamabad, whereby application for registration of second FIR in respect of bomb blast dated 17.07.2007 at the entrance of F-8 Markaz was turned down.

2. Learned counsel for the petitioner inter-alia contends that on 17.07.2007 incident of bomb blast took place in the vicinity of F-8 Markaz Islamabad, when the then Chief Justice of Pakistan scheduled to address the members of the Islamabad Bar Association and in result whereof, 18 people were died and 32 people were seriously injured. He further contends that FIR No.222, dated 17.07.2007, U/s 302/324/427/109/334/337-F(ii)/337-A(v) PPC read with Section 6/7 of the ATA and section 3/4 of the E.A, P.S Margala, Islamabad was registered; that the FIR was wrongly been lodged and the incident of bomb blast was converted into a suicide attack; that the respondent No.10 in the television program “*Jawabdes*h” in GEO TV network on 16/17 January, 2010 discloses that respondents No. 2 to 5 had conspired to murder the then Chief Justice of Pakistan and the leaders of

the lawyers movement between Kharian and Gujrat, therefore, second FIR is required to be registered as the point of view of the petitioner was not recorded.

3. Conversely, learned State Counsel as well as learned counsel for respondent No.3 contends that it is trite law that second FIR could not be registered and even otherwise, petitioner's point of view was recorded by the Investigation Officer. Learned counsel for respondent No. 3 contends that the accused have already been tried by the Court of Anti-Terrorism and final verdict was announced on 09.06.2010 by Anti-Terrorism Court Rawalpindi, whereby three of the accused were acquitted in the charge. Lastly it was contended by the learned counsel for respondent No. 3 that petitioner has also filed W.P No. 2199/2010 on the same subject matter before Lahore High Court Rawalpindi Bench, Rawalpindi which was dismissed vide order dated 23.06.2011 and the said order was maintained in C.P No. 1116/2011 vide order dated 17.10.2012.

4. Arguments heard, record perused.

5. From the perusal of record, it reveals that petitioner is mainly aggrieved on the ground that his point of view has not been recorded in case FIR No.222, dated 17.07.2007, U/s 302/324/427/109/334/337-F(ii)/337-A(v) PPC read with Section 6/7 of the ATA and section 34 of the E.A, P.S Margala, Islamabad regarding incident of bomb blast in District Court, F-8 Markaz, Islamabad. The record has been perused minutely, whereby it reveals that the statement of Chaudhry Muhammad Aslam, Advocate (petitioner) was recorded by the Investigation Officer. The accused were arrested and challan was submitted in the Court of Anti-Terrorism Rawalpindi Division, whereby accused persons were tried and final verdict was announced on 09.06.2010 by the Court of Anti-Terrorism Rawalpindi, whereafter no appeal has been preferred as per the statement of the petitioner as well as of the police department.

5. Besides the above referred position of the record, it is trite law that second FIR could not be registered as settled by the Apex Court in reported

judgment as **PLD 2018 Supreme Court 595 (Mst. Sughran Bibi Vs. The State)**, wherein it was held as under:-

*“No separate FIR was to be recorded for any new version of the same incident brought to the notice of the investigation officer during the investigation of the case.”*

6. I would, therefore, conclude that instant writ petition stands **dismissed** as the matter has already been dealt by the competent court and no other question is left to this Court to determine.

**(MOHSIN AKHTAR KAYANI)**  
**JUDGE**

Ramzan