

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**

Justice Qazi Faez Isa, CJ  
Justice Amin-ud-Din Khan  
Justice Athar Minallah

**Criminal Petition No.1294 of 2023**

*(Against the order dated 12 October 2023 passed by Lahore High Court Rawalpindi Bench Rawalpindi in Crl. Misc. No.2761-B of 2023)*

*M Taimoor Ali*

*....Petitioner*

**Versus**

*The State through P.G. Punjab and another*

*....Respondents*

For the petitioner:

Mr. Hassan Raza Pasha, ASC.  
Syed Rifaqat Hussain Shah,  
AOR.

For respondent No.2/complainant:

Agha Muhammad Ali, ASC.  
*(on caveat)*

Date of Hearing:

28 November 2023

**ORDER**

**Qazi Faez Isa, CJ.** This criminal petition for leave to appeal has been filed against the order dated 12 October 2023 wherein it is recorded that the petitioner's counsel did not press this petition in order to approach 'august' Supreme Court of Pakistan. It is submitted that this statement was made because earlier the matter had come before this Court in Criminal Petition No.260/2023 which was disposed of *vide* order dated 6 April 2023 by recording that petitioner's counsel did not press it *for the time being*. Learned counsel submits that a fresh ground had accrued to the petitioner on which bail was sought.

2. If a fresh ground had become available to the petitioner prior to the passing of the impugned order then counsel should not have withdrawn the petition, but insisted that the petition be decided on merits. The legal position is by now well settled by this Court since the last about ten years in the cases of *Nazir Ahmad v State* (PLD 2014 Supreme Court 241) and *Muhammad Aslam v State* (PLD 2015 Supreme Court 41). At this stage learned counsel states he does not press this petition as he wants to avail of an alternate remedy. Accordingly the petition is dismissed as withdrawn.

3. We also observe the repeated use of word 'august' used before the Supreme Court of Pakistan or it is used as an alternative *August Court*. This Court is mentioned in the Constitution as the *Supreme Court of Pakistan*, without any prefix or adjective, and we should all endeavour to abide by the descriptions mentioned in the Constitution.

Chief Justice

Judge

Judge

Islamabad  
28 November 2023.  
(Umar)

Approved for reporting