

JUDGMENT SHEET  
**IN THE PESHAWAR HIGH COURT,**  
**PESHAWAR**  
(Judicial Department)

**Cr.Misc.BA No.1498-P/2015**

Date of hearing: \_\_\_\_\_

Petitioner (s) : \_\_\_\_\_

Respondent (s) : \_\_\_\_\_

**JUDGMENT**

**ASSADULLAH KHAN CHAMMKANI, J.-**

Petitioner Zazai, seeks bail in case FIR No.657 dated 04.08.2015, registered under sections 419/420 PPC and S.14 Foreigners Act, 1946, in police Station University Town.

2. Allegations against the petitioner are that when he was inquired about his stay in Pakistan by the local police, he produced them Afghan Refugee card, which was allegedly fake and bogus.

3. Arguments heard and record perused.

4. During the course of arguments learned counsel for the petitioner produced Afghan Citizen/Afghan Refugees Card of brother of petitioner, namely, Azmat Khan and contended that the entire family members of the petitioner are refugees, who have been issued Refugees Cards by the Government of Pakistan qua their legal stay in Pakistan. Record reveals that the Card of the petitioner has not been verified from NADRA nor an iota of evidence has been brought to show his stay illegal in Pakistan. In absence of any report from NADRA qua fakeness of card of the petitioner, his case requires further probe to the extent of S.14 Foreigners Act. So far as sections 419 and 420 PPC are concerned, one is bailable while punishment of the other does not fall within the Restrictive Clause of S.497 Cr.P.C. hence, petitioner is entitled to concession of bail.

5. Accordingly, this petition is allowed.

Accused/petitioner is admitted to bail provided he furnishes bail bonds in the sum of Rs.3,00,000/- with two sureties each in the like amount to the satisfaction of learned Illaqa Judicial Magistrate/MOD concerned. The sureties must be local, reliable and men of means.

**Announced**  
**03.09.2015.**

**J U D G E**



