

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

Mr. Justice Maqbool Baqar
Mr. Justice Qazi Muhammad Amin Ahmed

Criminal Petition No.1280 of 2019

*(Against order dated 22.10.2019
passed by Lahore High Court in Crl.
P. NO.54210-B/2019)*

Zaka Ullah

...Petitioner(s)

Versus

The State & another

...Respondent(s)

For the Petitioner(s): Mr. Babar Awan, Sr. ASC
Syed Rifaqat Hussain Shah, AOR

For the State: Mr. Abid Majeed Mirza,
Deputy Prosecutor General Punjab
with Pervez, I.O.

For the Respondent(s): Mr. Shahid Azeem, ASC

Date of hearing: 15.1.2020.

ORDER

Qazi Muhammad Amin Ahmed, J.- Behind bars since 17.5.2019, Zaka Ullah, petitioner seeks admission to bail in a case of homicide; on the fateful day, he allegedly drove and whisked away co-accused Usman Ashraf on a motorbike after the deceased, on a motorbike as well, was dealt with multiple fire shots, including one by him. Motive for the crime is a runaway marriage. The deceased succumbed to the injuries after a brief struggle at the hospital; before the Medical Officer, amongst others, he accused Farooq and Waqas for having mounted the assault, however, First Information Report recorded on the statement of Ikram Aslam specifically named the petitioner with a role, nonetheless, belied by the Investigating Officer.

2. Heard. Record perused.

3. According to the crime report, the deceased was repeatedly shot initially by Muhammad Ashraf co-accused by a .30 caliber pistol, subsequently taken over by the petitioner to conclude the occurrence with the last shot, a role conspicuously omitted alongside the name in the last declaration, an apparent dichotomy to be best settled after recording of evidence. Investigating suggests petitioner's presence at the spot, albeit with no role, a circumstance additionally calling for further probe in the alleged culpability; a case for release on bail stands made out. The petitioner shall be released upon furnishing bonds in the sum of Rs.500,000/- with two sureties each in the like amount to the satisfaction of the learned trial Court. The petition is converted into appeal and allowed.

Judge

Judge

Islamabad
15th January, 2020
Not approved for reporting
Azmat/-