

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

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

Criminal Petition No.1672-L of 2019

*(Against order dated 02.12.2019
passed by Lahore High Court Lahore
in Crl. Misc. No.51181-B of 2019)*

Zulfiqar

...Petitioner(s)

Versus

The State & another

...Respondent(s)

For the Petitioner(s): Mr. Muhammad Ramzan Chaudhary,
ASC
Mr. Arshad Ali Chaudhry, AOR

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

For the Respondent(s): Mr. Sajjad Hussain, ASC

Date of hearing: 15.1.2020.

ORDER

Qazi Muhammad Amin Ahmed, J.- Behind bars since 14.06.2019, Zulfiqar, petitioner seeks admission to bail. It is alleged that on the fateful day, he alongwith his two sons accompanied by three unknown assailants, each armed with a .30 caliber pistol, confronted Muhammad Shakeel Jahangir, deceased in the backdrop of a motive relating to a dispute over property; he is attributed first shot to the deceased on his right shin followed by fire shots by the co-accused. Autopsy revealed three entry wounds. Effective role qua the deceased assigned in the crime report notwithstanding, the petitioner has been found by the Investigating Officer to have merely abetted the crime without being at the spot.

2. Heard. Record perused.

3. Accompanied by two able bodied sons, each lethally armed, whether the petitioner had any occasion to venture the

occurrence is an issue to be best settled after recording of evidence. Number of fire shots sustained by the deceased is not commensurate with the volley of fires collectively made by the assailants including the unknown is a circumstance that additionally warrants further probe. Acceptance of plea raised by the petitioner, statedly in his late sixties, is yet another circumstance converging in his favour; his culpability certainly calls for further probe, thus, a case for his release on bail stands made out. The petitioner shall be released on his 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/-