

Judgment Sheet
IN THE LAHORE HIGH COURT, LAHORE
JUDICIAL DEPARTMENT

Criminal Appeal No.99-J of 2011
(Qamar Abbas alias Qamru etc. versus The State)

and

Murder Reference No.631 of 2010
(The State versus Qamar Abbas alias Qamru etc.)

JUDGMENT

Date of hearing	02.03.2015
Appellant(s) by	Ch. Muhammad Idrees and Mr. Atif Mumtaz Bhatti, Advocate along with Shahid Ali (appellant) on bail Barrister Sehr Khosa, Advocate/Defence counsel at State expenses
State by	Mian Muhammad Awais Mazhar, Deputy Prosecutor General
Complainant by	M/s Abdur Razzaq Rajab and Javaid Iqbal Virk, Advocates

Syed Shahbaz Ali Rizvi, J. This judgment shall dispose of Criminal Appeal No.99-J of 2011 titled as **Qamar Abbas alias Qamru etc. versus The State**, filed by Qamar Abbas alias Qamru, Dildar alias Dilu, Shahid Ali and Muhammad Azam (appellants) against their convictions and sentences and Murder Reference No.631 of 2010 titled as **The State versus Qamar Abbas alias Qamru etc.** transmitted by the learned trial court for confirmation or otherwise of the sentence of death awarded to Qamar Abbas alias Qamru and Dildar alias Dilu (appellants), as both these matters have arisen out of the same judgment dated 04.11.2010 passed by the learned Addl. Sessions Judge, Sialkot in case FIR No.694 dated 05.09.2008, offence

under Sections 302, 109, 148 and 149 PPC registered at Police Station City Daska District Sialkot whereby, all the appellants were convicted under Section 302(b) read with Section 149 PPC, as a result whereof, Qamar Abbas alias Qamru and Dildar alias Dilu (appellants) were sentenced to death whereas, Muhammad Azam and Shahid Ali (appellants) were sentenced to imprisonment for life. All the appellants were ordered to pay Rs.50,000/- each as compensation to the legal heirs of the deceased as envisaged under Section 544-A of the Code of Criminal Procedure, 1898 and in default thereof, to undergo simple imprisonment for six months each. Kashif alias Naik alias Ihsan and Mst. Irshad Bibi were declared proclaimed offenders by the learned trial court.

It is pertinent to mention here that the execution of sentence of Muhammad Azam and Shahid Ali (appellants) was suspended by this Court vide order dated 04.08.2011 passed in Crl. Misc. No.1 of 2011. Shahid Ali (appellant) is present in Court whereas, Muhammad Azam (appellant), as per report submitted by Irfan Rasheed, SI Police Station City Daska District Sialkot, is confined in District Jail, Sargodha in some other criminal case.

2. Brief facts of the case, as disclosed by Zafar Ullah, complainant (PW-2), in his statement (Exh-PA) on the basis of which formal FIR (Exh-PA/1) was registered, are that he is resident of village Jahangir and cultivator by profession. On 05.09.2008 at about 01:30 p.m his (complainant's) brother Maqsood Ahmad (deceased) was going to his village Jahangir on motorcycle. Complainant and his nephew Waqas Ali (PW-7) also followed him on a separate motorcycle. Complainant (PW-2) and Waqas Ali (PW-7) purchased dates for *Aftari* from a vendor and proceeded ahead. When they reached near the '*kothi*' of Bilal Afzal; Dildar alias Dilu, Qamar Abbas alias Qamru (appellants), Ehsan Khan, all armed with .44 bore rifles alighted from a car, which was without number plate and came in front of them. Dildar alias Dilu

(appellant) fired burst of .44 bore rifle on Maqsood Ahmad (deceased) which hit him on left side of head, Qamar Abbas (appellant) shot burst of .44 bore rifle which landed on front side of chest of Maqsood Ahmad and the burst fired by Ehsan Khan, accused (since P.O) hit Maqsood Ahmad on left side of his body who died at the spot. The unknown persons stood on both sides of road and shouted that whoever came forward would meet the same fate as of Maqsood Ahmad. The occurrence was also witnessed by Shah Nawaz (PW-8) who was coming from village Jahangir. The occurrence was committed on the instigation of Mst. Irshad Bibi, accused (since P.O) who was present in Daska 'Kachehri' and in view of Muhammad Ashraf (PW-5), she had stated to kill Maqsood Ahmad (deceased) who has left for the village.

Motive behind the occurrence was that complainant's father, in the year 1997 had purchased a piece of land from Dildar alias Dilu. The assailants wanted to grab that piece of land and even they did not allow the complainant to cultivate the same.

Later on, Shahid Ali and Muhammad Azam (appellants) were arrested in this case and were identified by Zafar Ullah, complainant (PW-2), Waqas Ali (PW-7) and Shah Nawaz (PW-8) as the unknown accused persons during the test identification parade.

3. Qamar Abbas, Shahid Ali, Muhammad Azam and Dildar alias Dilu (appellants) were arrested in this case on 16.10.2008 by Muzaffar Hussain, SI (PW-15). Qamar Abbas (appellant), on 27.10.2008 while in police custody at his instance got recovered Kalashnikov (P-10); Dildar alias Dilu (appellant) on 02.11.2008 and 04.11.2008, during physical remand while making disclosure got recovered .44 bore rifle (P-6) and Corolla Car bearing Registration No.LWJ/5368; Muhammad Azam (appellant) on 06.11.2008 during physical remand at his instance got recovered .44 bore rifle (P-8). All these articles

were taken into possession by the Investigation Officer (PW-15) through recovery memos Exh-PI, Exh-PG, Exh-PL and Exh-PH, respectively.

4. After completion of investigation, the challan was prepared and submitted before the learned trial court. The learned trial court, after observing legal formalities, as provided under the Code of Criminal Procedure, 1898, framed charge against the appellants on 05.01.2010 to which they pleaded not guilty and claimed trial.

5. In order to prove its case, the prosecution produced as many as seventeen witnesses, during the trial. Zafar Ullah, complainant (PW-2), Waqar Ali (PW-7) and Shah Nawaz (PW-8) furnished the ocular account of the prosecution case. Muhammad Akhtar (PW-9) and Muhammad Iqbal (PW-10) are the witnesses of alleged recoveries of crime weapons and Corolla Car at the instance of the appellants.

The medical evidence was furnished by Dr. Abid Ali Ranjha (PW-11), who on 05.09.2008 at 07.30 p.m, conducted post mortem examination on the dead body of Maqsood Ahmad (deceased) and found the following injuries on his body: -

“1-A: A fire arm lacerated wound $\frac{3}{4}$ x $\frac{3}{4}$ cm X DNP, margins inverted, slightly blackening present around the wound on the back of left side of head 11 cm above and behind the left ear. (Wound of entry).

1-B: A fire arm lacerated wound 10 x 5 cm X DNP, margins everted on front of left side of forehead extending to left temporal region (Wound of exit).

2-A: A fire arm lacerated wound 2 x 2 cm X DNP, slightly blackening present around the wound, margins inverted on the front of right side of chest in upper part 1.cm close to midline.

2-B: A fire arm lacerated wound 3 x 2 $\frac{1}{2}$ cm X DNP, margins everted, on the back of right side of chest in middle, 2 cm close to midline.

3-A: A fire arm lacerated wound 1 x 1 cm, margins inverted X DNP, on the front and outer aspect of left side of chest in upper most part at mid-axillary level.

3-B: A fire arm lacerated wound 2 x 1 ½ cm X DNP, margins everted, on the front and outer aspect of right chest in upper most part close to right axilla (about 2 cm close to right axilla).

4-A: A fire arm lacerated wound 1 ½ x 1 cm X DNP, margins inverted, on outer and front of right chest in lower part.

4-B: A fire arm lacerated wound 4 x 2 ½ cm X DNP, margins everted, on the front of left side of abdomen 5 cm away from umbilicus to lateral or outer aspect.

5-A: A fire arm lacerated wound, margins inverted, 1/ ½ x 1 ½ cm on the outer aspect of left forearm in middle.

5-B: A fire arm lacerated wound, margins everted, 1.cm on front and inner aspect of left forearm in middle, exit wound.

6: A fire arm grazing wound 10 x 8 cm X muscle deep on the front of left arm in upper most part.

7: A fire arm grazing wound 2 x 1 cm X muscle deep on the back of left lumber region in lower part."

That Medical Officer opined as under:-

"In my opinion, death occurred due to injury No.1-A & B, 2-A & B, 3-A & B, 4-A & B which lead massive trauma to the vital organs i.e. brain, both lungs, heart, diaphragms, liver, which leads excessive external and internal bleeding, shock, cardio-pulmonary arrest and ultimately death. The other injury Nos.5-A & B, 6 and 7 are contributory to it. These injuries are all by fire arm weapon. These injuries are ante mortem and homicidal in nature. Probable time between injury and death, at the spot and between death and postmortem, 6 to 8 hours."

6. Malik Abid Awan, Special Judicial Magistrate (PW-13) supervised the Identification parade of Muhammad Azam and Shahid Ali (appellants). Abdul Rasheed, SI (PW-14), Muzaffar Hussain, SI (PW-15) and Asmat Ullah, Inspector (PW-17) are the Investigating Officers of this case. Masood Ahmad Bhatti, Draftsman (PW-4)

prepared scaled site plan (Exh-PC) of the place of occurrence whereas, rest of the witnesses are formal in nature.

7. Learned Assistant District Public Prosecutor gave up Nasim Shah C/1041, Javed Iqbal C/1011 and Mushtaq Ahmad HC/1655 PWs being unnecessary and after tendering in evidence reports of Chemical Examiner (Exh-PR), Serologist (Exh-PS) and Forensic Science Laboratory (Exh-PT), closed the case for prosecution.

8. The statements of the appellants, under Section 342 of the Code of Criminal Procedure, were recorded on 12.10.2010. They refuted the allegations levelled against them and professed their innocence. While answering to a question that "*why this case against you was registered and why the PWs had deposed against you?*", Qamar Abbas and Dildar alias Dallu appellants replied as under:-

"I am innocent. I have been falsely implicated in this case due to the reason that prior to registration of this case, I and my brother namely Dildar and mother Irshad Bibi had filed a civil suit against Subey Khan, real father of the deceased, which is still pending in the Civil Court, Daska and occurrence is unseen. Deceased had enmity with so many persons, he might have been murdered by some unknown persons, and when real culprits were not traced by the complainant party, I was implicated in this case falsely in order to stop pursuing us the civil case.

Prior to the registration of this case, my brother Dildar got registered a case FIR No.825/2007, u.S 302/324/109/34 PPC, at P.S Sabzi Mandi Gujranwal and Zafar Ullah, present in this case, was the accused in the said case and due to above-said civil and criminal case, the complainant party has motive to falsely implicate me. All the private PWs are inimical towards me."

Whereas Muhammad Shahid and Azam Ali (appellants) replied the same question as under:-

"I am innocent. I have been falsely implicated in this case due to friendship with my co-accused Qamar and Dildar. All the private PWs are inimical towards us."

9. The appellants did not opt to give evidence on oath as provided under Section 340(2) of the Code of Criminal Procedure, in disproof of the allegations levelled against them. The appellants except Dildar alias Dilu also did not opt to adduce defence evidence however, Dildar alias Dilu produced attested copies of suit titled Mst. Irshad Bibi etc. v. Soobay Khan (Exh-DA), copy of FIR 825/2007 under Sections 302/324/109/34 PPC P.S. Sabzi Mandi, District Gujranwala (Exh-DB) and copy of FIR No.138/2004 under Sections 440/337-H (iii)/ 148/149 PPC P.S. Bambanwala District Sialkot (Exh-DC) and in his defence.

10. The learned trial court vide its judgment dated 04.11.2010, found the appellants guilty, convicted and sentenced them as mentioned and detailed above.

11. Learned counsel for the appellants in support of this appeal contend that the appellants have falsely been implicated in this case; that Muhammad Azam and Shahid (appellants) were not nominated in the FIR and they have been implicated in this case later on; that it was a blind murder and no one has seen the occurrence; that the eyewitnesses are chance witnesses as they have not explained the reason for their presence at the spot; that there are contradictions in the statements of the prosecution witnesses; that there is delay of about six hours in conducting the post mortem examination on the dead body of the deceased; that the mouth and eyes of the deceased were semi open at the time of post mortem examination which is suggestive of the fact that no one was present with the deceased at the time of occurrence; that the alleged recovery of Kalashnikov at the instance of Qamar Abbas alias Qamru (appellant) and positive report of the Forensic Science Laboratory are doubtful; that the alleged recovery of crime weapon at the instance of Dildar alias Dilu (appellant) is inconsequential as the report of the Forensic Science Laboratory is only to the extent of its being in working order whereas,

there is no report of the Forensic Science Laboratory with regard to the .244 bore rifle (P-6) allegedly recovered at the instance of Azam (appellant); that nothing was recovered from Shahid (appellant) during the course of investigation; that motive is always considered a double edged weapon; that the prosecution has failed to prove its case against the appellants beyond any shadow of reasonable doubt; that this appeal may be accepted and the appellants may be acquitted of the charge levelled against them and Murder Reference be answered in the negative.

12. On the other hand, learned Deputy Prosecutor General assisted by learned counsel for the complainant opposes this appeal on the grounds that the appellants are nominated in the promptly lodged FIR with specific roles; that though Muhammad Azam and Shahid Ali (appellants) were not nominated in the FIR yet they have been correctly identified by the witnesses during the identification test parade; that there is no contradiction in the statements of the prosecution witnesses; that the eyewitnesses have explained the reason of their being present at the place of occurrence at the time of occurrence; that the prosecution case is fully corroborated by the medical evidence; that the prosecution case is further corroborated by the recovery of crime weapons at the instance of Qamar Abbas alias Qamru, Dildar alias Dilu and Azam (appellants) whereas, non-recovery of crime weapon at the instance of Shahid (appellant) is not fatal to the prosecution case; that the prosecution case is also corroborated by the motive part of the occurrence; that the prosecution has proved its case against the appellants beyond any shadow of reasonable doubt; that this appeal may be dismissed and Murder Reference be answered in the affirmative.

13. We have heard the arguments of learned counsel for the appellants, learned Deputy Prosecutor General assisted by learned

counsel for the complainant and also scanned the record with their able assistance.

14. First of all we will take up the case of Qamar Abbas alias Qamru and Dildar alias Dilu (appellants). We have noticed that occurrence in this case took place at 01.30 p.m. on 05.09.2008, the matter was reported to the police at 02.00 p.m. whereas, the crime report was recorded at 02.20 p.m. i.e. within fifty minutes of the occurrence wherein, the appellants are nominated with specific role of causing firearm injuries to the deceased.

To substantiate its case of broad daylight occurrence against the appellants, through the direct evidence, the prosecution has produced Zafar Ullah, complainant (PW-2), Waqas Ali (PW-7) and Shah Nawaz (PW-8) who have furnished the ocular account of the incident. All the three eyewitnesses have consistently assigned the role to the appellants Qamar Abbas alias Qamru and Dildar alias Dilu of causing specific firearm injuries on the person of the deceased Maqsood Ahmad. They were cross examined at length by defence but no material and noticeable discrepancy in their statements qua the role of both appellants during the actual occurrence, could be surfaced. They remained consistent with each other in this regard. Learned defence counsel could not shake the confidence of the eyewitnesses rather avoided to focus the actual occurrence during the cross examination of Waqas Ali (PW-7) and Shah Nawaz (PW-8) whereas, half heartedly cross examined Zafar Ullah, complainant (PW-2) on this score and nothing beneficial to the appellants could be obtained while main focus of the cross examination remained on the events happened before and after the occurrence. The eyewitnesses remained stuck to their stance promptly taken by them on the day of occurrence when they got recorded their statements to the police under Sections 154 & 161 of the Code of Criminal Procedure, 1898. Both the parties, the prosecution witnesses and appellants Qamar Abbas alias Qamru and Dildar alias Dilu, are well known to each other, therefore, no question of misidentification arises. The eyewitnesses have reasonably

explained their presence at the spot at the relevant time by stating that they were going back to their village after appearing in the court of learned Civil Judge, Daska. They were also cross examined at this point by the defence but the defence could not shatter their stance. Even it was not suggested to the witnesses that no case of the complainant party was fixed for hearing in the Civil Court on the day of occurrence. The defence remained fail to point out any reason to disbelieve their presence at the scene of incident. As regards the relationship of the three eyewitnesses inter se as well as with deceased, we are of the view that it is the intrinsic worth of the evidence that matters and not the source from which it emanates. If the evidence furnished by the witness is confidence inspiring and of unimpeachable character, even the existence of enmity becomes irrelevant. In this regard, reference is made to the case of Niaz-ud-Din and another v. The State and another (2011 SCMR 725). So, in this case testimony of the eyewitnesses cannot be distrusted only on basis of relationship of the deceased with them.

As far as the contention raised by the learned counsel for the appellants that the semi open mouth and eyes of the dead body at the time of post mortem examination reflects non-availability of the prosecution witnesses at the relevant time, is concerned, we are of the view that the said circumstance/practice cannot be taken as a rule of universal application as each case is to be decided in the light of its own peculiar facts and circumstances. We have noticed that the occurrence of this case took place in an inhabited area as is evident from the site plan (Exh-PC) and even if we believe that the witnesses were not present at the scene of occurrence but it cannot be expected that no one would have attracted to the spot from the vicinity after hearing the repeated fire shots and that is too till the development of rigor mortis on the body of deceased. We feel that the semi open eyes and mouth of the deceased can also be a result of negligence or omission on the part of the witnesses. Even otherwise, the

promptitude in reporting the matter to police and post mortem examination of dead body without delay, in the circumstances of this case, confirms the presence of prosecution witnesses at the scene of incident. Hence, we are of the opinion that the prosecution has furnished a cogent, coherent and trustworthy ocular account of the incident against Qamar Abbas alias Qamru and Dildar alias Dilu (appellants).

15. The prosecution case against Qamar Abbas alias Qamru and Dildar alias Dilu (appellants) also finds corroboration from the medical evidence as the ante mortem firearm injuries, on the person of deceased Maqsood Ahmad, specifically attributed to the appellants by the eyewitnesses are reflected in the post mortem examination report of deceased Maqsood Ahmad (Exh-PJ) which became the cause of his unnatural death as opined by the Medical Officer Dr. Abid Ali Ranjha (PW-11).

16. Insofar as motive part of the occurrence is concerned, we have noticed that the complainant Zafar Ullah (PW-2) has reiterated the stance taken by him in crime report regarding the motive part of occurrence and he has firmly faced the cross examination in this respect while the appellants have also not denied the same as the defence put suggestions to the prosecution witnesses regarding the earlier criminal and civil litigation pending between the parties over the possession of the land. The appellants in their statements recorded under Section 342 of the Code of Criminal Procedure, 1898 have also admitted the long standing litigation between the parties and dispute of the land. The FIR No.825 of 2007 dated 06.07.2007 under Sections 302, 324, 109 and 34 PPC (Exh-DB) registered at the instance of the appellant Dildar alias Dilu also confirms the motive alleged by the prosecution as at the end of prosecution story of the said FIR the role of abetment has been alleged by the complainant against the complainant party of the case in hand. In this view of the matter, we

are of the view that the motive alleged against the appellants stands proved to the extent of Qamar Abbas alias Qamru and Dildar alias Dilu (appellants).

17. The prosecution case also finds corroboration from the recovery of Kalashnikov (P-10) at the instance of Qamar Abbas alias Qamru (appellant) and positive report of Forensic Science Laboratory (Exh-PT). We have observed that five crime empties of Kalashnikov were taken into possession from the place of occurrence and all the five crime empties were found to have been fired from rifle Kalashnikov (P-10).

As regards the alleged recovery of crime weapon at the instance of Dildar alias Dilu (appellant), we have observed that no crime empty taken into possession from the place of occurrence was found to have been fired from the rifle (P-6) allegedly recovered at the instance of Dildar alias Dilu (appellant) and the report of Forensic Science Laboratory (Exh-PT) is only to the extent of its being in working condition. In this view of the matter, we are of the view that the alleged recovery of crime weapon at the instance of Dildar alias Dilu (appellant) is inconsequential and not helpful to the case of the prosecution to his extent.

18. In the light of above discussion, we are of the opinion that the prosecution has successfully proved its case against both Qamar Abbas alias Qamru and Dildar alias Dilu (appellants) through confidence inspiring ocular account furnished by Zafar Ullah, complainant (PW-2), Waqas Ali (PW-7) and Shah Nawaz (PW-8) which is strongly corroborated by the medical evidence, recovery of crime weapon at the instance of Qamar Abbas alias Qamru (appellant) and evidence of motive that has led us to come to an irresistible conclusion that the learned trial court has rightly convicted Qamar

Abbas alias Qamru and Dildar alias Dilu (appellants) through the impugned judgment.

19. Being conscious of our responsibility to sift the grain from chaff, we take up the case of Muhammad Azam and Shahid Ali (appellants). We have noticed that both Muhammad Azam and Shahid Ali (appellants) have not been nominated in the FIR and they were identified by the complainant Zafar Ullah (PW-2), Waqas Ali (PW-7) and Shah Nawaz (PW-8) subsequently during the test identification parade. We have observed that both these appellants have not caused any injury to the deceased. Even as per prosecution's own case, they remained present on both sides of the road and asked that no one should come near otherwise, he too, would meet the same fate as of Maqsood Ahmad (deceased). Even they did not make any aerial firing at the spot. During the course of investigation, nothing was recovered from Shahid Ali (appellant) whereas, .244 bore rifle (P-8) along with ten live bullets was allegedly recovered at the instance of Muhammad Azam (appellant) but the said rifle was not sent to the office of Forensic Science Laboratory for comparison with the empties recovered from the spot and in this view of the matter, the alleged recovery of crime weapon at the instance of Muhammad Azam (appellant) is inconsequential. As far as the motive is concerned, both Muhammad Azam and Shahid Ali (appellants) have no concern with the motive part of the occurrence as the same, as per FIR (Exh-PA/1), is against Dildar and Qamar Abbas alias Qamru (appellants).

We have also noticed that identification test parade was not conducted as per law as the identification parade of both the appellants was conducted jointly. The description and features of the assailants were not given by the complainant and the eyewitnesses in their statements recorded under Section 154 & 161 of Code of Criminal Procedure, 1898 and nowhere in the proceedings of the test identification parade (Exh-PM & Exh-PM/1), the features of the

Now coming to the quantum of sentence awarded to Dildar alias Dilu (appellant), we have given our due consideration to the fact

that the prosecution could not prove the connection between the empties taken into possession from the place of occurrence and Dildar alias Dilu (appellant), all the five empties taken into possession by the first Investigation Officer have been found matched with the rifle (P-10) recovered at the instance of appellant Qamar Abbas alias Qamru and the recovery of rifle (P-6) at the instance of Dildar alias Dilu has been declared inconsequential, that in our view is a sufficient mitigating circumstance in his favour which has persuaded us to award him alternative legal sentence of imprisonment for life. Guidance in this regard is respectfully sought from the case of Muhammad Riaz and another v. The State and another (2007 SCMR 1413) wherein, the Hon'ble Supreme Court was pleased to observe as under:-

"7. ...No doubt normal penalty for an act of commission of Qatl-i-Amd provided under law is death but since life imprisonment also being a legal sentence for such offence must be kept in mind wherever the facts and circumstances warrant mitigation of sentence, because no hard and fast rule can be applied in each and every case."

We are also fortified by the case of Ghulam Mohy-ud-Din alias Haji Babu and others v. The State (2014 SCMR 1034) wherein, the Hon'ble Supreme Court of Pakistan has held that if a single doubt or ground is available, creating reasonable doubt in the mind of Court/Judge to award death penalty or life imprisonment, it would be sufficient circumstance to adopt alternative course by awarding life imprisonment instead of death sentence.

20. In the light of above discussion, the conviction of Dildar alias Dilu (appellant) is maintained, however, the same is altered under Sections 302(b)/34 PPC instead of under Sections 302(b)/149 PPC as two co-accused of the appellants have been acquitted and there remain only the three accused, two appellants who are being convicted and

one accused person Kashif alias Naik alias Ihsan who is proclaimed offender i.e. less than five accused and as such, Section 149 PPC does not attract in this case and his sentence is altered from death to imprisonment for life which, in our view, shall meet the ends of justice. The amount of compensation imposed upon him and imprisonment in default thereof is also maintained. He is also awarded the benefit of Section 382-B, PPC.

21. Consequently, with the above modification in quantum of sentence of Dildar alias Dilu (appellant), **Crl. Appeal No.99-J of 2011**, to the extent of Qamar Abbas alias Qamru and Dildar alias Dilu (appellants) is hereby dismissed.

It is pertinent to mention here that Mst. Irshad Bibi, proclaimed offender has passed away as informed and admitted by both the parties, however, the above findings are not relevant to the case of Kashif alias Naik alias Ihsan who is a proclaimed offender.

22. **Murder Reference No.631 of 2010**, to the extent of Qamar Abbas alias Qamru (convict), is answered in the **AFFIRMATIVE** and death sentence awarded to him is **CONFIRMED** whereas, to the extent of Dildar alias Dilu (convict) is answered in the **NEGATIVE** and sentence of death awarded to him is **NOT CONFIRMED**.

(Sayyed Mazhar Ali Akbar Naqvi)
Judge

(Syed Shahbaz Ali Rizvi)
Judge

APPROVED FOR REPORTING:

Judge

Judge