

**2024 M L D 597**  
**[Lahore]**  
**Before Farooq Haider, J**  
**SHAHBAZ---Petitioner**  
**Versus**  
**The STATE and another---Respondents**  
**Criminal Miscellaneous No.72433-B of 2023, decided on 31st January, 2024.**

**ORDER**

FAROOQ HAIDER, J.---Through instant petition, Shahbaz (petitioner/accused) seeks post-arrest bail in case arising out of. F.I.R. No.775/2022 dated 04.11.2022 registered under Sections 376(ii), 293, P.P.C., at Police Station: Mustafa Abad, District Kasur.

2. After hearing learned counsel for the parties, learned Assistant District Public Prosecutor and going through the available record with their able assistance, it has been noticed that briefly, as per crime report (FIR), got recorded by Muhammad Jamil (complainant), Muhammad Shahbaz (present petitioner) along with his co-accused namely Naveed committed rape with Sania Jamil (daughter of the complainant, statedly aged about 12-years), also made her video on mobile, had been blackmailing her and asking for giving money otherwise they would viral the video and due to said blackmailing, Sania Jamil had been giving them jewelry and money from her home.

Sania Jamil (victim of the case) has supported case of the prosecution against the petitioner through her statement recorded under Section 161, Cr.P.C.; Sania Jamil (victim) has also clearly levelled allegation of rape with her by present petitioner as well as by Naveed (co-accused, mentioned above) through her statement recorded under, Section 164, Cr.P.C. On Court's query, learned Assistant District Public Prosecutor under instructions of police officials (present in Court) and after herself going through the record apprises that "USB" containing aforementioned video of the alleged act has also been secured during investigation of the case and allegation levelled against the petitioner has been established after thorough investigation.

Any reason for false implication of the petitioner in the case with such heinous allegation which has stigmatized life of the victim as well as honor of

her family could not be referred by learned counsel for the petitioner.

3. In view of what has been discussed above, prima facie, reasonable grounds are available on the record to connect the petitioner with the commission of alleged offences and punishment of offence of rape with minor attracts the prohibition contained in section 497, Cr.P.C., The persons involved in such like activities do not deserve any leniency rather they are liable to be dealt with iron hands in order to curb/debar such like nefarious activities falling in moral turpitude, from the society. Therefore, no case for grant of post arrest bail to the petitioner is made out. Instant petition is without merits and same is hereby dismissed.

4. It goes without saying that observations made hereinabove are just tentative in nature and strictly confined to the disposal of instant bail petition.

MWA/S-12/L Bail refused.

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