

IN THE COURT OF \_\_\_\_\_ SENIOR CIVIL JUDGE KARACHI, SOUTH

Suit No. \_\_\_\_\_ of 2021

Mrs.

.....PLAINTIFF

V E R S U S

1. A

2. Government of Sindh

Through Excise, Taxation and Narcotics Control Department

Karachi.....DEFENDANTS

**SUIT FOR DECLARATION AND RECOVERY**

Respectfully Sheweth:

1. That the Plaintiff is a respectable Pakistani woman and a citizen of Karachi, Pakistan and is filing the instant Suit through her duly authorized attorney Mr. Tahir Saeed son of Shaikh Muhammad Saeed vide Power of Attorney dated \_\_\_\_\_.

(Photocopy of Power of Attorney dated \_\_\_\_\_ is attached herewith and marked as Annexure "P/I")

2. That the Plaintiff purchased motor vehicle bearing registration No. \_\_\_\_\_ ("Vehicle") for her own personal use from her hard earned and life-long savings.

(Photocopy of chain of ownership of the Vehicle is attached herewith and marked as Annexures "P/2" to "\_\_\_")

3. That the daughter of the Plaintiff ("Daughter") tied the wedlock with the Defendant No. 1 on 08.03.2019 according to Muslim Law.

4. That the Plaintiff, out of pure love and affection, lent the Vehicle to her daughter after her marriage solely for her personal use.

5. That however, shortly after marriage of the Defendant No. 1 and Daughter, the Defendant No. 1 started mistreating, insulting and abusing the Daughter and made the Daughter's life hell. The Daughter tolerated the Defendant No. 1 for the sanctity and respect of her marriage but the Defendant No. 1, on or about 16.03.2021, forced the Daughter to leave his house, did not allow the Daughter to take the Plaintiff's Vehicle and retained the original documents of the Vehicle with him. The Defendant No. 1 also did not allow the Daughter to take back the dowry articles that she had brought with her which include branded, shoes, bags, jewelleryetc worth approximately PKR. 2,000,000/- (Pak Rupees Two Million). It is pertinent to mention herein that the Defendant No. 1 did not pay a single dime to the Daughter as maintenance since the inception of their marriage.

6. That since the Daughter had returned to her parents' house and the Defendant No. 1 had kicked her out, the Plaintiff went up to the premises of the Defendant No. 1 to retrieve the Vehicle which was given to the Daughter as well as the dowry articles the Daughter had taken with her to the Defendant No. 1's house after their marriage.

7. That however, the Defendant No. 1 refused to hand over the keys of the Vehicle and its original file/documents to the Plaintiff upon her polite request. The Defendant No. 1 further started to chant abusive phrases against the family of the Plaintiff and told her that he is above the law and will do as he pleases. He further stated that the Vehicle does not belong to the Plaintiff anymore and the Defendant No. 1 now owns the same.

8. Being traumatized by such incident, the Plaintiff rushed home to gather herself. The Plaintiff further thought to her that transfer of the Vehicle in the name of the Defendant No. 1 is not remotely possible as the Plaintiff did not at any point in time sign any transfer letter or document to the effect of a transfer of the Vehicle in the name of the Defendant No. 1 or any other person.

9. That however, to the utter shock and disbelief of the Plaintiff, it later transpired that the Defendant No. 1 had transferred the Vehicle in his name by fraudulently forging and fabricating the Plaintiff's signatures on car transfer documents. The Plaintiff, being appalled and shaken by such criminal actions, approached the Defendant No. 1 and called upon him to withdraw the

forged documents, admit to his criminal actions and revert the ownership of the Vehicle to the Plaintiff as she had purchased from her lifelong savings and had given it only to the Daughter her use only. However, the Defendant No. 1 started advancing threats to the Plaintiff and her family and threatened her of dire consequences if the Plaintiff does not stay silent.

10. Unable to accept how the Plaintiff and her family had been emotionally and financially victimized at the hands of the Defendant No. 1, the Plaintiff wrote Letter dated 22.05.2021 to the Excise and Taxation Officer Motor Vehicle Wing wherein the criminal actions of fraud and forgery committed by the Defendant No. 1 had been mentioned and it was stated that the Plaintiff did not at any point in time sign transfer documents of the Vehicle in favour of the Defendant No. 1. It was further requested therein that entries in the name of the Defendant No. 1 in the record of the Vehicle may be cancelled as the same are based on false, fabricated, forged and illegal documents. The Plaintiff also filed a formal complaint before the Citizen Police Liaison Committee against illegal transfer of the Vehicle by the Defendant No. 1.

*(Photocopies of the Letter Dated 22.05.2021 and Complaint to CPLC is attached herewith and marked as Annexures P/\_ and P/\_ respectively.)*

11. That after realizing the criminal nature of the Defendant No. 1 and the irreparable emotional and psychiatric injury caused by the Defendant No. 1, the Daughter has filed for dissolution of marriage by way of Khula bearing Family Suit No. \_\_\_\_\_ before the Learned \_\_\_\_\_ Family Judge Karachi, South wherein notices have issued and is pending adjudication.

*(Photocopy of Plaintiff in F.S \_\_\_\_\_ and Notices are attached herewith and marked as Annexures P/\_)*

12. That the criminal and illegal actions of the Defendant No. 1 have caused serious financial injury to the Plaintiff and her family as the Plaintiff lawfully owns the Vehicle which is gravely needed by her and her family for personal use. The Defendant No. 1 has no legal or equitable right to keep the Vehicle and its original file/documents in his possession and the same are in his possession without lawful consent/authority of the Plaintiff. The Defendant No. 1 is liable to immediately return the Vehicle which holds market value approximately amounting to PKR

2,300,000/- (Pak Rupees Two Million Three Hundred Thousand). The criminal and illegal actions of the Defendant No. 1 have caused immense irreparable psychiatric and emotional injury to the Plaintiff and her family for which the Defendant No. 1 is liable to pay an amount of PKR 5,000,000/- (Pak Rupees Five Million) as damages to the Plaintiff.

**13.** That cause of action accrued in favour of the Plaintiff when the Defendant No. 1 refused to return the Vehicle and its original file/documents to the Plaintiff, when the Plaintiff illegally forged and fabricated the signatures of the Plaintiff to unlawfully transfer the Vehicle in his name, when the Defendant No. 1 caused immense psychiatric, financial and emotional injury to the Plaintiff and cause of action continues to arise as the Vehicle and dowry articles are still in possession of the Defendant No. 1.

**14.** That the Defendant No. 1 is having business office at Karachi which is situated within the local limits of Police Station \_\_\_\_\_, which falls within the territorial jurisdiction of this Honourable Court.

**15.** That for the purposes of Court fee and jurisdiction the suit is valued at Rs. \_\_\_\_\_ and the proper and prescribed Court fee has been paid thereon.

P R A Y E R:

It is therefore, prayed that this Honourable Court may be pleased to pass judgment and decree in favour of the Plaintiff in the following manner:

- (i) Declare that the Plaintiff is the sole and absolute owner of motor vehicle bearing registration No. \_\_\_\_\_
- (ii) Declare that the ownership entry of the Defendant No. 1 in the record of the Defendant No. 2 regarding motor vehicle bearing registration \_\_\_\_\_ is not backed by lawful substance and is liable to be cancelled.

- (iii) Direct the Defendants, their agents, assigns or representatives not to create any third party rights in the motor vehicle bearing registration No.
- (iv) Direct the Defendant No. 1 to return physical possession the motor vehicle bearing registration No. \_\_\_\_\_ alongwith its original file/documents to the Plaintiff.
- (v) Direct the Defendant No. 2 to cancel the ownership entry of the Defendant No. 1 in the record maintained by the Defendant No. 2 regarding motor vehicle bearing registration No. \_\_\_\_\_.
- (vi) Direct the Defendant No. 1 to pay an amount of PKR 5,000,000/- (Pak Rupees Five Million) as damages to the Plaintiff.
- (vii) Direct the Defendant No. 1 to handover possession of motor vehicle bearing registration No. \_\_\_\_\_ alongwith its original file/documents to a person appointed by this Honourable Court till final disposal of the instant Suit.
- (viii) Any other relief that this Honourable Court may deem just, fit and proper.
- (ix) Cost of the suit.

Karachi  
Dated /0 /2021

PLAINTIFF

ADVOCATE FOR PLAINTIFF

VERIFICATION

I, \_\_\_\_\_ son of \_\_\_\_\_, Muslim, adult, resident of Karachi, attorney of the Plaintiff, do hereby verify on oath that what is factually stated above is correct and true to my knowledge as gathered from the record and the legal pleas are correct and true to the information and advice given by counsel, which I believe to be true.

DEPONENT

To,

The SHO  
Police Station  
Ferozabad, Karachi

Subject: **APPLICATION FOR REGISTRATION OF FIR AGAINST ONE SALAH UD DIN AND OTHER MISCREANT PERSONS**

**Respected Sir,**

I, Mst Shaista Widow of Sajjad Sultan Ali, carrying on business under the name and style of M/s New Metro Footwear Co at Shop No. 293-C, Meto House, Main Tariq Road, near Liberty Chowk, Karachi, beg to state as under:-

1. That the applicant is an edified, religious and respectable citizen of Pakistan and is living with her family and further doing her family business as a Managing Partner under the name & style of M/s New Metro Footwear Co. and running the said business since last 40-50 years and the said business was established by her father-in-law after a long lasting efforts, experience, hardworking and dedication.
2. That, the applicant, due to the high standard quality and reliability of its products, has earned a good reputation in the business community as well as among its valuable customers. It is pertinent to mention that the shoes and other allied items under applicant's brand of New Metro Footwear are designed, prepared and manufactured by her owned engineers, at its factory with high standard quality materials and due to the said reasons, the said products have been recognized and liked by its valuable customers. It is further submitted that the applicant has other outlets at different parts of the city and as such earns a good reputation among the general public as well.
3. That one Salah ud din who is also running the business under the name and style of M/s Shoes 4 U (Usman Shoes) at shop No. 19/B Block 2 PECHS at Tariq Road, Karachi and also having running factory under the name and style of M/s Usman Shoes. It is further submitted that the in-laws of the applicant were having business relations with him and with the passage of time the applicant brand became unique, and they finished their business relations with the said Salah ud din and started to make /manufacture their own products at their factory.

4. That the said Salah ud din now bent upon making products with compromised quality and misusing/ infringing the trade name of the applicant with the sole intention to cause serious harm to the applicant and lowered its prestige which she earned through long-lasting efforts among its valuable customers. It is further submitted that his owned products due to low quality are not liked by the customers and due to the said reasons, he is also bent upon to harass, blackmail and threatening my clients through himself, his friends namely Mushtaq and other **Gunda elements** with the sole intention to refrain the applicant to carry on her lawful business over the above said outlet at Tariq Road, Karachi.
5. That he is continuously sending the said people to her shop, who used abusive, threatening languages and used to create dramas before valuable customers to assault and lower the prestige of her business among the customers as he has become greedy and selfish and has been creating unnecessary hurdles in smoothly running the business of the applicant.
6. That the said Sadrauddin also used to visit himself and through his miscreants / gunda elements at factory outlets of the applicant and busy in continuous harassing, blackmailing and threatened the workers / staff deputed over there and gave threatening messages to them and also sent threatening messages to the applicant through her workers working at the factory. It is pertinent to mention that the applicant is also receiving threatening calls from unknown numbers i.e. 03002157541, and directing the applicant to visit the above said police station Ferozabad , otherwise FIR may be lodged against her as such the applicant is having serious apprehension for her involvement in any illegal and unlawful acts in connivance with some official of the police station.
7. That it is humbly submitted that the said Salah ud din has continuously been involved in campaign of harassment, blackmailing and threatening me by extending threats and through other henchmen / gunda elements and further they have been visiting the shops/ factory of the applicant and has also made air firing outside the shop/ factory of the applicant and the applicant has serious apprehension for any unlawful act which could be life threatening and loss of business of the applicant due to the above said acts / omission of acts of the said Mr Salah ud Din and his other abettors/ facilitators.
8. In view of above said conspectus of facts, it is earnestly requested that legal action against the above said Salah ud Din , holding CNIC No. 42201-21936485, Cell No. 0314-2984901, Mushtaq, other miscreants persons and their abettors/ facilitators may please be initiated and an FIR may be lodged against and also restrained them from harassing, blackmailing and threatening me and my family members by providing life protection, as they are continuously engaged in the said crime and unless they are not restrained the applicant shall loss her business.

Thanking you.

Yours truly,

Mst Shaista Widow of  
Sajjad Sultan Ali

**Copy to:**

1. IG Sindh,
  2. DIG Sindh
  3. SSP District East
  4. SSP Complaint Cell East

**IN THE COURT OF**

## **DISTRICT AND SESSION JUDGE AT KARACHI (EAST )**

**Cr. Misc. Application No. /2023**

**Mst SH Widow of SSA,  
Muslim, adult,  
M/s Footwear Co  
Karachi.**

### **Applicant/ Petitioner**

VERSUS

## **1. The SHO Karachi**

## **2. The SSP Karachi**

## **Respondents**

## **1. SUD son of not known Karachi**

## **Proposed Accused Persons**

**APPLICATION UNDER SECTION 22-A & 22-B  
OF CRIMINAL PROCEDURE CODE 1898**

It is prayed on behalf of the petitioner above named that this Honorable Court may graciously be pleased to direct the respondent to record the statement of the petitioner under section **154 Cr.P.C** and register **FIR** against the delinquent /proposed accused persons and their abettors on consideration of following facts:

-

### **FACTS**

1. **Brief** facts giving rise to instant petition are that That the applicant is an edified, religious and respectable citizen of Pakistan and is living with her family and further doing her family business as a Managing Partner under the name & style of M/sFootwear. and running the said business since last 40-50 years and the said business was established by her father in law after a long lasting efforts, experience, hardworking and dedication.
2. That, the applicant, due to the high standard quality and reliability of its products, has earned a good reputation in the business community as well as among its valuable customers. It is pertinent to mention that the shoes and other allied items under applicant's brand of New Metro Footwear are designed, prepared, and manufactured by her owned engineers, at its factory with high standard quality materials and due to the said reasons, the said products have been recognized and liked by its valuable customers. It is further submitted that the applicant has other outlets in different parts of the city and as such earns a good reputation among the general public as well.

3. That one SUD (proposed accused No.1) who is also running the business under the name and style of M/sShoes) at shop No. 19Karachi and also having running factory under the name and style of M/sShoes. It is further submitted that the in-laws of the applicant were having business relations with him and with the passage of time the applicant brand became unique, and they finished their business relations with the said SUD and started to make /manufacture their owned products at her factory.
4. That the said SUD now bent upon making products with compromised quality and misusing/ infringing the trade name of the applicant's brand name of Metro Shoes with the sole intention to cause serious harm to the applicant's business and lowered its prestige which she earned through long-lasting efforts among its valuable customers. It is further submitted that his owned products due to low quality are not liked by the customers and due to the said reasons, he is also bent upon to harass, blackmail and threatening my clients through himself, his friends namely MS and other **Gunda elements** with the sole intention to refrain the applicant to carry on her own lawful business over the above said outlet at, Karachi. It is pertinent to mention that the said proposed accused has infringed the trade name of the applicant by making low quality products at his own factory.
5. That he is continuously sending the said people to her shop/ business premises, who used abusive, threatening languages and used to create dramas before valuable customers to assault and lower the prestige of her business in front of her valuable customers as he has become greedy and selfish and has been creating unnecessary hurdles in smoothly running the business of the applicant. It is further

submitted that due to high quality and good standard valuable articles / shoes of the applicant the business of the proposed accused has lost its worth and his business is likely to be collapsed and as a revenge he has been continuously busy in playing tactics to defame, lower and underestimate the business of the applicant.

6. That the said SUD also used to visit himself and through his miscreants / **Gunda** elements at factory outlets of the applicant and busy in continuous harassing, blackmailing and threatened the workers / staff deputed over there and gave threatening messages to them and also sent threatening messages to the applicant through her workers working at the factory. It is pertinent to mention that the applicant is also receiving threatening calls from unknown numbers i.e. and directing the applicant to visit the above said police station , otherwise FIR may be lodged against her as such the applicant is having serous apprehension for her involvement in any illegal and unlawful acts in connivance with some official of the police station.
7. That it is humbly submitted that the said SUD has continuously been involved in campaign of harassment, blackmailing and threatening the applicant by extending threats and through other henchmen / Gunda elements and further they have been visiting the shops/ factory of the applicant and has also made air firing outside the shop/ factory of the applicant and the applicant has serious apprehension for any unlawful act which could be life threatening and loss of business of the applicant due to the above said acts / omission of acts of the said Mr SUD and his other abettors/ facilitators.

8. That, the applicant / petitioner being a law-abiding citizen of Pakistan believes on supremacy of law as such she has sent a comprehensive / detailed application to concern SHO/ Respondent No.1 and respondent No.2 through couriers and endorsed the same to their high-up's but it is regrettfully submitted that still no action has been taken by the police against the delinquents and the petitioner has become stranded in such state of affairs.

**(Copies of application and Couriers receipts are attached and marked as annexure A/ to A/ )**

9. That , it is humbly submitted that it is evident by the above , the petitioner has approached Sindh Police at apex level but no heed has been given as such has no other option except to land before this Honorable Court through instant petition.

### **PRAYER**

In view of above said conspectus of facts, it is earnestly supplicated that respondent may kindly be directed to lodge FIR against the proposed accused persons and their abettors / co-accused in accordance with law as they have committed cognizable offences under the provisions of the **Pakistan Penal Code 1860** with common intentions, which is evident by the facts mentioned in application annexed herewith and further be pleased to provide life protection from the illegal and unlawful clutches of the proposed accused persons.

**Any** other relief which this Honorable Court may deem fit and proper under the circumstances of the case.

Prayer is made in the interest of justice.

**Applicant**

**Karachi**

**Dated**

For immediate court use

**IN THE COURT OF**

## **DISTRICT AND SESSION JUDGE AT KARACHI ( EAST )**

**Cr. Misc. Application No. /2023**

Mst SH

### **Applicant/ Petitioner**

## VERSUS

## **The SHO PS Ferozabad & Another**

## **Respondents**

**AFFIDAVIT IN SUPPORT OF APPLICATION UNDER SECTION  
22-A OF CRIMINAL PROCEDURE CODE 1890**

**I, Mst SH Widow of SSA, Muslim, adult, resident of Karachi, do hereby state on oath as under:-**

1. **That** , I am the applicant in the above case and as such I am well conversant with the facts of the case.
  2. **That** , the accompanying application under **section 22-A & 22-B of Criminal Procedure Code, 1898**, has been drafted and filed under my specific instructions and for the sake of brevity the contents of the same may be treated as part and parcel of this affidavit.
  3. **That** I say that I seriously apprehend any danger at the hands of proposed accused as the said proposed accused persons are powerful personalities and they have bent upon me to harm me at any cost, which is evident by the facts mentioned by me in memo of petition.

4. **That**, I say that unless the accompanying application is allowed as prayed, I shall be seriously prejudiced and suffer irreparable loss.

5. **That**, whatever stated above is true and correct to the best of my knowledge, belief, and information.

**Karachi  
Dated  
Advocate for Applicant**

## **Deponent**

**IN THE COURT OF DISTRICT AND SESSION JUDGE SOUTH AT KARACHI**

Cr. Bail Before Arrest Appl. No. / 2023

1. RB wife of SB  
Muslim, Adult,  
Karachi.
2. Mst HB wife of AJB  
Muslim, adult, resident of  
Karachi,

## VERSUS

The State ----- Respondent.

**APPLICATION FOR BAIL BEFORE ARREST**  
**U/S 498 Cr.P.C.**

It is respectfully prayed on behalf of the abovenamed applicant / accused above-named that this Hon'ble Court may graciously be pleased to enlarge him on bail before arrest on the consideration of following facts and grounds:

### **FACTS**

1. Brief facts of the case narrated by the complainant in the above Enquiry No. ,  
Dated registered at FIA Cyber Crime Reporting Center, Karachi are that I SR  
d/o AAR R/O Parliament Lodges, I am currently working as recruitment  
consultant in health care. Through this application, I would like to bring to your  
kind notice that I have been harassed, stalked and blackmailed through fake  
facebook accounts with user name SA and user name UR The said fake  
facebook accounts have been posting objectionable posting with my edited  
pictures on timeline and on display picture. Moreover, I am sure that all the  
fake facebook accounts, with my name, have been created by Humma Jabbar  
Baloch who is my aunty and my mother's 2<sup>nd</sup> cousin (RB W/o SB holding  
CNIC . So I nominate HB as an alleged lady and I reported FIA Cyber Crime  
Islamabad to take strict legal action against HB and her co-partners also. I am  
going through several mental tension and stress. I seek justice and restoration  
of peace and harmony in my life. I request you to take strict legal action in the  
subject matter, please.

2. That it is further submitted that vide order dated passed by 1<sup>st</sup> Civil Judge & Judicial Magistrate Karachi South dated Search Seizure warrant has been issued against the houses of the applicants and the applicant has serious apprehension from FIA authority to arrest them and involved them in above false complaint, hence this bail before arrest application on the following grounds:

### **GROUNDS**

1. That the applicants above named are innocents and falsely implicated in this case with malafide intention and ulterior motives, as he did not committed any offence.
2. That the complainant deliberately and intentionally dragging out the applicants in this false case, by mentioned false and concocted story.
3. That all the allegations against the applicants are false and fabricated and the complainant falsely implicated just to rivalry between them and for the purpose of blackmailing.
4. That the alleged postings were liked with the applicants by the complainant with malafide intentions and for fulfillment of her ulterior motives and has been misusing her strength of her rank against the applicants to drag them in the false complaints through FIA authority.

5. That offence above-mentioned does not fall under the prohibitory clause of Section 497 Cr.P.C. and bail in such cases shall be granted as a rule.
6. That the applicants are neither hardened criminals nor absconder and permanent resident of Karachi, hence there is no probability of the accused of being absconder, or to exercise of commission of crime. Moreover they are household ladies and are never involved in any illegal, immoral and criminal activities as alleged in the above complaint.
7. That the Illaqa Police / FIA authorities are raiding at the house of applicants repeatedly in order to arrest them falsely in this case and they will be arrested, they will be humiliated, tortured and disgraced by the police and their respect in the society will be lowered and their modesty will be assaulted.
8. That there is no chance of the applicant to temper with the witnesses.
9. That the applicant craves leave to add further grounds at the time of hearing of this prearrest bail application.
10. That the applicant is ready to furnish the solvent surety for the satisfaction of this Hon'ble Court.

## **PRAYER**

In the light of above facts and grounds it is respectfully prayed on behalf of the applicants abovenamed that this Hon'ble Court may graciously be pleased to grant bail before arrest to the applicants, on the consideration of foregoing facts and grounds, in the larger interest of justice.

## Karachi:

Dated \_\_\_\_\_ Advocate for the Applicants

**IN THE COURT OF DISTRICT AND SESSION JUDGE SOUTH AT KARACHI**

Cr. Bail Before Arrest Appl. No. / 2023

RB & Another

Applicants

VERSUS

The State

Respondent.

**AFFIDAVIT**

I, RB wife of SB , Muslim, Adult, Karachi, do hereby state on Oath as under:-

1. That I am the applicant No.1 in the above matter as such am fully conversant with the facts of the case.
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduce in this affidavit.
3. That I say that from the contents of above inquiry and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult the applicants through the hands of the police in

collusion with the complainant and there is no bar to grant bail in the alike cases.

4. That I say that due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police /FIA authorities are continuously raiding at our houses and there is imminent apprehension about our arrest in this false case and police is dancing at the fingers of complainant and if we will be arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.
5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: DEPONENT

**IN THE COURT OF DISTRICT AND SESSION JUDGE SOUTH AT KARACHI**

Cr. Bail Before Arrest Appl. No. / 2023

RB & Another

Applicants

VERSUS

The State ----- Respondent.

**AFFIDAVIT**

I, Mst HB wife of AJB, Muslim, adult, resident of Karachi, Cell No. do hereby state on Oath as under:-

1. That I am the applicant No.2 in the above matter as such am fully conversant with the facts of the case.
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same has not been reproduced in this affidavit.
3. That I say that from the contents of above inquiry and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult the applicants through the hands of the police in

collusion with the complainant and there is no bar to grant bail in the alike cases.

4. That I say that due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police /FIA authorities are continuously raiding at our houses and there is imminent apprehension about our arrest in this false case and police is dancing at the fingers of complainant and if we will be arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.
5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: -06-2023

DEPONENT

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Appl. No. / 2021

Mst SH Widow of  
SSA, Muslim, adult,  
resident of Flat No. 17/4 Block-B,  
Gulshan-e-Noor, Sector No.22,  
KDA Scheme No.33, SUPARCO Road,  
Karachi

Applicant / Accused

VERSUS

The State

Respondent

**BAIL APPLICATION UNDER SECTION 498 CR.P.C.**

It is respectfully prayed that this Hon'ble Court may graciously be pleased to admit the applicant to anticipatory bail upon consideration of the following facts and grounds:-

**BRIEF FACTS**

Brief facts of instant bail application are narrated in the Complaint under section 3 & 4 of AML Act 2010 amended Sept. 2020 registered at PS. FIA ACC, Karachi. Hence, this application for bail on the following grounds:-

**(Copy of Complaint No. is filed herewith and marked as annexure A**

**GROUNDS**

1. That the applicant / accused is innocent and has been falsely implicated in this case by the complainant to save his skin and to involve the applicant / accused in the above said case malafide intention and for fulfillment of his ulterior motives.
  
2. That the applicant is the owner of Shoes situated at Karachi. The above business is inherited to her through her father-in-law. It is further submitted

that the applicant was given five million by the father-in-law through oral gift deed dated 2014. It is further submitted that the applicant is business partner of above said business vide Deed of Partnership and the business were being run by her employees and family members but she was not actively participating in above business.

3. That the applicant managed her business affairs through her brother namely Sameer who also was a bank manager at that time and the applicant also looking after business through her employees, but she did not visit her business due to illness of the father in law of applicant and after his death when the applicant started to visit her office and checked ledger of her business she found that her brother cheated/fraud with her and used her names to cheat the people and he also opened the bank account on her name without her consent or knowledge which is mentioned in the impugned notices/ FIRs / Complaint of instant bail application further the applicant never visited a single time at the branch where the accounts opened she also never signed any account forms at the bank.
4. That when the applicant came to know about the acts of her brother, she filed application to the high ups about the facts and people who were approaching her due to her brother fraud and she also gave a public

advertisement in daily newspaper 2019, disentitled herself from her brother.

5. That the applicant appeared before FIA offices and recorded her statement and disclosed all the real facts to the FIA officer but the FIA again and again sending show cause notice to them and creating harassment to her for her illegal arrest, as the applicant has no concerned with the transactions conducted by the said Sameer and she also did not took benefits of any transaction of the above account, the real facts is that the prime accused also cheated with her and used her CNIC Card without her consent and knowledge.
6. That the police trying to disgrace and humiliate the applicant through arresting her . If the applicant is arrested in this false case, she will be humiliated and tortured at the hands of FIA officials.
7. That the FIA officials continuously raiding at the house of applicant as well as at the houses of her relatives for the purpose to arrest her in this false case, therefore applicant strongly apprehend about her arrest with the hands of FIA authority and there is no other member in their family who can defend her case therefore she is entitled to be protected and bail before arrest may be granted to her till disposal of above enquiry.

8. That the applicant is also on bail in FIRs No. vide order dated 2021 and as such entitle for concession of bail in instant case as the said complaint has contained the same facts mentioned in above FIRs.

**(Copies of bail orders are filed herewith and marked as annexure B & C)**

9. That the applicant is absolutely innocent and has been falsely and maliciously implicated in this case and her respect and modesty is highly affected in case she is arrested and concession of bail is not granted to her.
10. That it is in the interest of justice that a protective bail is granted to accused and the same if granted, she will fully cooperate with the investigation agencies.
11. That the applicant is neither hardened criminal nor absconder but she is respectable citizen of Pakistan, hence there is no probability of their absconcion or tempering with the evidence.
12. That the applicant is ready to furnish solvent surety to the satisfaction of this Hon'ble Court.
13. That this is first bail application before this Hon'ble Court on behalf of the applicant in the above said matter .

14. That the applicant craves leave to add further grounds at the time of hearing of this pre arrest bail application.

**PRAYER**

In the light of above facts and grounds, it is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to grant protective bail to her and further be pleased to suspend / cancel the warrants issued against the applicant /accused in the above case, in the interest of justice.

Prayer is made in the interest of justice .

Karachi:

Dated: **Advocate for the Applicant**

## **IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Appl. No. / 2021

## VERSUS

## The State Respondent

## **AFFIDAVIT**

I, Mst SH Widow of SSA, Muslim, Adult, R/o Karachi, do hereby state on  
Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
  2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduced in this affidavit.
  3. That due to the reasons stated hereinabove as well as in the main application, it is submitted that FIA officials are continuously raiding at my residence as well as at the houses of my relatives and there is imminent apprehension about my arrest in this false case and the FIA authority is dancing

at the fingers of complainant and if I am arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.

4. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: -12-2021 D E P O N E N T

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Appl. No. / 2021

Mst SH

Applicant / Accused

VERSUS

The State

Respondent

**APPLICATION U/R 9, CHAPTER III-B, VOLUME –V,  
OF HIGH COURT RULES.**

For the reasons disclosed in the accompanying affidavit, it is respectfully  
prayed on behalf of the abovenamed applicant that this Hon'ble Court may  
graciously be pleased to take the matter on urgent motion, fixing the same on  
\_\_\_\_\_ in the Court or in chamber for hearing and orders.

Karachi:

Dated: -12-2021

**Advocate for the Applicant**

**For immediate use in Court on behalf of  
the applicant.**

## **IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Appl. No. / 2021

## VERSUS

## The State Respondent

## **AFFIDAVIT**

I, Mst SH Widow of SSA, Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
  2. That the accompanying Urgent application has been drafted and filed under my specific instructions, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.
  3. That due to the reasons stated hereinabove as well as in the main application, it is submitted that FIA officials are continuously raiding at my house as well as houses of my relatives and there is imminent apprehension about my arrest in this false case.

4. That I say that unless the accompanying application is granted, I shall be seriously be prejudiced and suffers irreparable losses.

Karachi:

Dated: D E P O N E N T

## **IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Appl. No. / 2021

## VERSUS

## The State Respondent

**APPLICATION UNDER SECTION 151**

For the reasons disclosed in the accompanying affidavit, it is respectfully prayed on behalf of the abovenamed applicant that this Hon'ble Court may graciously be pleased to exempt the applicant above named to file / produce the certified copies of annexures as due to shortage of time , the same could not be produced with the instant application and the same will be produced as and when ordered by this Honorable Court.

Prayer is made in the interest of justice.

## Karachi:

Dated: **Advocate for the Applicant**

**For immediate use  
in Court on behalf of the applicant.**

## **IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Appl. No. / 2021

## VERSUS

## The State Respondent

## **AFFIDAVIT**

I, Mst SH Widow of SSA, Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
  2. That the accompanying application under section 151 CPC for exemption has been drafted and filed under my specific instructions, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.
  3. That due to the reasons stated hereinabove as well as in the main application, it is submitted that FIA officials are continuously raiding at my house as well as house of my relatives and there is imminent apprehension about my

arrest in this false case as such due to shortage of time, the certified copies of annexures could not be produced with the instant bail application.

4. That I say that unless the accompanying application is granted I shall be seriously be prejudiced and suffers irreparable losses.

Karachi:

Dated: D E P O N T

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Appl. No. / 2021

Mst SH

Applicant / Accused

**VERSUS**

The State

Respondent

,

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Karachi:

Dated: -12-2021

Advocate for the Applicant



## **IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Appl. No. / 2021

## VERSUS

## The State Respondent

Complaint No. 36 / 2021  
U/S 3 & 4 AML Act 2010 Amended  
Sept-2020  
P.S. FIA ACC, Karachi ,

## **CERTIFICATE**

This is certify that this is first bail application being filed before this Honorable Court and no any other bail of same FIR is filed by the applicant/accused and / or pending before any other court of law.

## Karachi

Dated \_\_\_\_\_ Advocate for the Applicant/ Accused

**IN THE COURT OF DISTRICT & SESSIONS JUDGE, EAST AT KARACHI**

Cr. P  
etition No.

VERSUS

SHO PS & Others

Respondents

**OBJECTIONS TO APPLICATION U/S 22-A CR.P.C.**  
**ON BEHALF OF RESPONDENT**

On behalf of the respondent abovenamed the objections against application U/s 22-A Cr.P.C., are being respectfully submitted as under:

1. That the applicant intentionally, deliberately and malafidely has made false statements in his application U/s 22-A Cr.P.C. and its supporting affidavit and in this way he has tried to misguide and play fraud upon this Hon'ble Court for the purpose of obtaining wrongful gains for himself and to cause wrongful losses to the Respondent, which act and conduct of the applicant amounts to contempt of Court too, for which he is liable to be prosecuted under the relevant law. It is necessary to mention here that the respondent reserve his legal right to file separate proper application in that regard.
  
2. That the application U/s 22-A Cr.P.C., as setout and filed by the applicant is not maintainable at this stage of the case, as the instant application is not *prima facie* and based on false, fabricated, frivolous and vexatious allegations upon the applicant, as such the same is liable to be dismissed with cost.

3. That the true facts in relations to the applicant and proposed accused are that the applicant had already filed three FIRs bearing No. FIR No. against the proposed accused in connivance with other miscreants persons with malafide intention and for fulfillment of their ulterior motives and have falsely involved the proposed in false civil / criminal litigations on the basis of cheques which were never issued to the said complainant / respondent No.1.

**(Copies of the FIRs are filed herewith and marked as annexure A/ to A/ )**

4. That it is humbly submitted that the applicant has also filed a Summary Suit No. Against the proposed accused against the above said cheques which were never issued to the applicant by the proposed accused but the said cheques were issued to some other and the said cheques were misused by the applicant against the proposed accused and they have already filed a serious of multiple litigations and he has already been facing false and frivolous trial which is itself appears from the contents of application under reply as all the litigations mentioned in the said application along with above FIRs have been filed by the complainant against the proposed accused persons. It is further submitted that the proposed accused have challenged the order passed in above Summary Suit in Civil Appeal No., which is pending before the court of law.

5. That it is further submitted that against the said FIRs the proposed accused has filed a Civil Suit No. 929/2023 against applicant and other persons for cancellation of the said cheques as the same were issued to one Danish Mushtaq for investment purpose , who have cheated with the proposed accused and gave the said cheques to the said applicant who have filed the above said false and frivolous litigations and involved the proposed accused in the above cases and further now under the garb of this false and frivolous application also trying to involve with the incident which was never occurred on his behest but he along with the said police officials have entangled / trying to involve in false and frivolous case with malafide intention and for fulfillment of their ulterior motives otherwise the proposed accused is nothing to do with the commission of the said offence and further the proposed accused believe on supremacy of law and never wanted to take law into his hands as he has already facing the above trials as such the application under reply is liable to be dismissed with special compensatory costs.

**(Copies of summary suit and civil appeal are filed herewith and marked as annexure A/ to A/ )**

6. That the complainant is continuously busy in harassing, blackmailing and threatening the applicant by filing false and frivolous cases against him and have already entangled him such false cases which is evident by the perusal of above said cases.

7. That it is further submitted that the applicant with malafide intention did not make the police official as a party in the application under reply and no prayer is sought against him, whereas he himself admitted that he was kidnapped and he also gave them ransom to the tune of Rs.2,50,000/- through his cousin ZS, which clearly depicts his malafide intention to file this application with the sole intentions to involve the proposed accused in a case /offence which was never committed by him in any manner whatsoever.
8. That further from the perusal of the contents of application in the subject case, the respondent alleged that the applicant kidnapped him with the help of police officials , which is also a false allegation to further entangled him in another false and frivolous case.
9. That applicant's application is filed with malafide intention and ulterior motive, on to exert pressure and coercion on Respondent, not to knock the doors of Court of law and seek justice.

**PRAYER**

Therefore in the light of above mentioned objections it is respectfully prayed that this Hon'ble Court may be pleased to dismiss / reject the applicant's application U/s 22-A Cr.P.C. by imposing heavy cost upon the proposed accused as he intentionally has tried to waste precious time of this Hon'ble Court by

delaying the matter and by creating complications in the same. It is in the interest of justice and equity as well as requirement of law.

## Karachi:

Dated: FL Advocate for Respondent

For immediate use in Court  
on behalf of proposed accused

IN THE COURT OF DISTRICT & SESSIONS JUDGE, EAST AT KARACHI

Cr. Petition No.

FL                              Applicant

VERSUS

SHO PS & Others                      Respondents

**AFFIDAVIT**

I, JA S/o YA , Muslim, Adult, R/o Karachi, do hereby state on Oath as under:

1. That I am proposed accused in the above titled case and deponent of this affidavit, as such am fully conversant with the facts of the matter.
2. That I say that the accompanying objections to application U/S 22-A Cr.P.C, have been drafted and filed under my specific instructions and the contents whereof are true and the same may please be treated as part of this affidavit for the sake of brevity.
3. That I say that the applicant by making false and fabricated statements has tried to misguide this Hon'ble Court, for which he is liable to be prosecuted under the relevant law.

4. That until and unless the application under reply filed by the applicant is dismissed by imposing heavy cost upon the applicant and the above titled case is dismissed after its proceedings, I shall be seriously prejudiced and will suffer irreparable loss.
  5. That whatever stated above is true and correct to the best of my knowledge and belief.

## Karachi:

Dated DEPONENT

**IN THE COURT OF DISTRICT AND SESSION JUDGE AT KARACHI (CENTRAL)**

**Cr. Misc. Application No. /2023**

# VERSUS

## **1. The SHO Police Station Karachi Central**

## 2. The SSP Central Karachi

## **Respondents**

**1. Mst ZK wife of K  
Muslim, adult, resident of**

**Karachi.**

**2. AY Muslim, adult, resident of**

**Karachi.**

**3. NO , Karachi**

**4. MO**

**Muslim, adult, resident ofKarachi  
Proposed Accused Persons**

**APPLICATION UNDER SECTION 22-A & 22-B  
OF CRIMINAL PROCEDURE CODE 1898**

It is prayed on behalf of the petitioner above named that this Honorable Court may graciously be pleased to direct the respondent to record the statement of the petitioner under section **154 Cr.P.C** and register **FIR** against the delinquent /proposed accused persons and their abettors on consideration of following facts:

-

**FACTS**

1. **Brief** facts giving rise to instant petition are that the applicant is law abiding and peace loving citizen of Pakistan and is living at the above said address, and he is not involved in any criminal or antisocial activities and his whole record is stainless and as such enjoys a good reputations among his family, friends, and general public as well.

- That it is submitted that the applicant's elder brother Mr RI , is lawful owner of House No.Karachi, admeasuring 119.79 square yards. It is further submitted that the said plot is built up upto ground plus two floors.

**(Copies of title documents are filed herewith and marked as annexure A/ 1 to A/ )**

- That the applicant's brother filed rent cases bearing RC No., against Mr N who is tenant of ground floor, RC No. against Mr MO, who is the tenant of first floor and rent Case No. , against one NO who is tenant of second floor of the above said property. The said tenants were defaulters in payment of their monthly rent as such the above said rent cases were filed by the said Mr RI against them for their lawful eviction through due course of law. The said rent cases are pending before the Honourable Court of law for further proceedings.

**(Copies of rent cases are filed herewith and marked as annexure A/ to A/ )**

- That the said Mst ZK is the wife of the applicant and she is a very clear and psycho patient. It is further submitted that she had been living separately from the applicant since long in her parent house.
- It is further submitted that the above tenants of ground floor and second floors upon receiving the summon of above rent cases, in connivance with the said Mst ZK (proposed accused No.1) and her brother namely AY(proposed

accused No.2) have bent upon to harass, blackmail, abuse, pressurize, threatening the applicant and his brother. It is further submitted that they with the help of other gunda elements are extending threats to kill the applicant and his brother and forcing them to refrain from claiming the ownership and withdrawing the above said rent cases.

6. That the said Mst ZK (proposed accused No.1) and her brother AY are also miscreants/ criminals and she is claiming that she is the owner of the said property and wanted to occupy the said property by hook and crook and extended threats that in case they again came at the place , they have to face dire consequences. It is further submitted that the said AY (proposed accused No.2) is also bent upon to harass, and threatening the applicant for dire consequences by saying that he had already have murdered 3 persons and would also murder the applicant and his brother RI.
7. That on 31-10-2023, the applicant along with his brother again visited the said property and the said miscreants persons namely Mst ZK, AY, M and NO ((proposed accused persons) along with other 3/4 gunda persons were present in the said property and they used abusive language and beaten the applicant and his brother. It is further submitted that the said persons also threatened the applicant and his brother to face dire consequences.

8. That the said NO (proposed accused No.4) claimed that he has links with Gunda Elements, law enforcement agencies and political parties and threatening the applicant that he would kill him along with his brother and forced them to refrain from claiming their eviction from the said rented premises and also forced them to withdraw the above said rent cases.
9. That after receiving the above said threats the applicant and his brother are in serious apprehension that they would harm them and their family members, who are illegal occupant of the above said property and their ur lives are in serious dangers on the hands of the said persons along with other gunda elements / their henchmen.
10. **That** , the petitioner being respectable citizen of Pakistan was determined that highups of Sindh Police shall provide him shelter in accordance with law and would redress his grievances as such he sent a comprehensive / detailed application dated to **learned Inspector General Police, DIG Police Sindh, SSP Central, SSP Complaint Cell, SHO PS Karachi** through courier but it is regretfully submitted that still no action has been taken by the police against the delinquents and the petitioner has become stranded in such state of affairs.

**( Copies of applications and courier receipts are attached and marked as annexure A/ to A/ )**

1. **That** , it is humbly submitted that it is evident by the above , the petitioner has approached Sindh Police at apex level but no heed has been given as such has no other option except to land before this Honorable Court through instant petition.

### **PRAYER**

In view of above said conspectus of facts, it is earnestly supplicated that respondent may kindly be directed to lodge FIR against the proposed accused persons and their abettors / co-accused in accordance with law as they have committed cognizable offences under the provisions of **provisions of Pakistan Penal Code 1860** with common intention, which is evident by the facts mentioned in above application dated 31-10-2023.

b) Direct the respondent to provide legal protection to the applicant and brother and family members as their lives are in dangers at the hands of the above said accused persons.

**Any** other relief which this Honorable Court may deem fit and proper under the circumstances of the case.

Prayer is made in the interest of justice.

**Applicant**

**Karachi**

**Dated**

**Advocate for the Applicant**

IN THE COURT OF

For immediate court use  
DISTRICT AND SESSION JUDGE AT KARACHI (CENTRAL)

Cr. Misc. Application No. /2023

KM

Applicant/ Petitioner

VERSUS

The SHO & Another

Respondents

Mst ZK & Other

Proposed Accused Persons

**AFFIDAVIT IN SUPPORT OF APPLICATION UNDER SECTION  
22-A OF CRIMINAL PROCEDURE CODER 1890**

I, KM S/o AMK, Muslim, adult, Resident of Karachi, do hereby state on oath as under:-

1. **That**, I am the applicant in the above case and as such I am well conversant with the facts of the case.
  
2. **That**, the accompanying application under **section 22-A & 22-B of Criminal Procedure Code, 1898**, has been drafted and filed under my specific instructions and for the sake of brevity the contents of the same may be treated as part and parcel of this affidavit.
  
3. **That** I say that I seriously apprehend any danger at the hands of proposed accused persons as they are powerful personality and they have bent upon me

to harm me at any cost, which is evident by the facts mentioned by me in memo of petition.

4. **That**, I say that unless the accompanying application is allowed as prayed I shall be seriously prejudiced and suffer irreparable loss.

5. **That**, whatever stated above is true and correct to the best of my knowledge, belief and information.

**Karachi  
Dated**

## **Deponent**

**IN THE COURT OF 1<sup>ST</sup> CIVIL JUDGE & JUDICIAL MAGISTRATE, KARACHI  
SOUTH .**

**ENQUIRY NO. 423/2023 DATED 2023 OF FIA CYBER CRIME  
REPORTING CENTER, KARACHI**

Mst HB wife of AJB  
Muslim, adult, resident of  
Karachi, Cell No. Applicant

**APPLICATION U/S 75 (2) CR.P.C. FOR CANCELLATION OF WARRANT  
ISSUED AGAINST ABOVE INQUIRY UPON THE HOUSE OF THE APPLICANT**

1. It is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to cancel the Search and seizure Warrant, order to be issued by this Hon'ble Court against the abovenamed applicant house address, without giving opportunity of hearing, and submitting

her stance on the complaint on the basis of which the above warrant has been issued.

2. It is further submitted that the complainant namely SARind along with other miscreants persons namely Mst SH Rind wife of HCell Nos. , and KA son of H Both resident of , Karachi, are continuously busy in harassing, , pressuring, blackmailing, and threatening the applicant and her family member since last 1-2 months i.e. from the month of Ramzan by abusing, sending abusive voice notes / messages to the applicant and her daughter at their cell phone numbers and other social media accounts. It is further submitted that she has been frequently visiting the house of the applicant along with her son / proposed accused No.2 on her vehicle with unknown persons. The said facts can be assessed through the following fake links made in the name of the applicant and her daughter:

<https://www.facebook.com/profile.php?id=100092407345199&mibextid=LQQJ4d>

<https://www.facebook.com/profile.php?id=100092629397371&mibextid=LQQJ4d>

<https://www.facebook.com/profile.php?id=100092031532056&mibextid=LQQJ4d>

<https://www.facebook.com/profile.php?id=100092614786595&mibextid=LQQJ4d>

<https://www.facebook.com/profile.php?id=100093014311268&mibextid=LQQJ4d>

<https://www.facebook.com/profile.php?id=100093014311268&mibextid=LQQJ4d>

<https://www.facebook.com/profile.php?id=100009117529231&mibextid=LQQJ4d>

<https://twitter.com/pappu8077228725?s=11>

3. That the said fake facebook / twitter accounts have been posting objectionable posting picture with their editable pictures on timeline and on display pictures and the applicant is sure that the above said postings have been posted by the proposed accused persons against the applicant and her

daughter. It is further submitted that they linked objectionable incidents with the applicant.

4. That on 2023, she came outside the house of the applicant and throw glass pieces and stones at the house with the sole intention to injure the inhabitants /. little girl / baby of the applicant in the house, when the applicant came out of the house, Mst SH with her son was sitting in the car outside the house and was busy in throwing stones / glass pieces in the house of the applicant and upon seeing the applicant they ran away from the scene. It is further submitted that the applicant reported the matter to the concerned police station vide application dated 2023 to the concerned police station but no action has been taken against the said culprits.
5. It is therefore, very humbly and respectfully prayed that this Hon'ble Court may kindly be pleased order for cancellation of Search and Seizure Warrant of her house, issued against the applicant, in the larger interest of justice and further be pleased to direct the above said complainant and other miscreants persons to produce / surrenders all the digital equipments which are being used for posting above said illicit contents / posting through the above said fake accounts and other as well, and the applicant is also ready to surrender her digital equipment in her custody for kind perusal of this Honorable Court in above inquiry .

Karachi:

Dated;

Advocate for the Accused.

## For Immediate Use in Court

**IN THE COURT OF 1<sup>ST</sup> CIVIL JUDGE & JUDICIAL MAGISTRATE, KARACHI  
SOUTH .**

**ENQUIRY NO. 423/2023 DATED 25-05-2023 OF FIA CYBER CRIME  
REPORTING CENTER, KARACHI**

Mst HB Applicant

**AFFIDAVIT IN SUPPORT OF APPLICATION U/S 75 (2) CR.P.C. FOR  
CANCELLATION OF WARRANT ISSUED AGAINST ABOVE INQUIRY UPON  
THE HOUSE OF THE APPLICANT**

I, Mst HB wife of AJB, Muslim, adult, resident of House No. Karachi, Cell No. , do hereby state on Oath as under:-

1. That I am deponent of this affidavit as well as applicant in the above titled matter, as such am fully conversant with the facts stated herein.
  2. That I say that the accompanying application has been drafted and filed under my specific instructions, contents whereof are true and correct to the best of my knowledge, and the same may please be treated as part and parcel of this affidavit for the sake of brevity.
  3. That until and unless the accompanying application is granted, I shall suffer irreparable loss and will be seriously prejudiced.
  4. That whatever stated above is true and correct to the best of knowledge belief to be true.

Karachi:  
Dated:

DEPONENT

**IN THE HIGH COURT OF SINDH AT KARACHI  
(Criminal Appellate Jurisdiction)**

Bail Application No. / 2023

AKM .....Applicant / Accused

VERSUS

The State.....Respondent

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5	<b>Vakalatnama</b>		

Karachi

Dated: -07-2023

**ADVOCATE FOR THE  
APPLICANT/AACUSED**

**IN THE HIGH COURT OF SINDH AT KARACHI  
(Criminal Appellate Jurisdiction)**

Bail Application No. / 2023

AKM  
S/oAUR  
Muslim, Adult, Presently  
Confined in Judicial Custody.....Applicant / Accused

VERSUS

The State.....Respondent

**BAIL APPLICATION U/S 497 Cr.P.C.**

Being aggrieved and dissatisfied with orders passed on bail applications No. vide dated: 2023 by the learned I<sup>ST</sup> Additional & Sessions Judge West Karachi and second Bail in Sessions Case No vide dated:2023 by the learned I<sup>ST</sup> Additional District & Sessions Judge West Karachi, The applicant/accused prefers this bail

application on the following facts and grounds amongst others, enumerated herein below:-

### **BRIEF FACTS**

1. Brief facts of the case are that with reference to Case FIR No. registered under section 9(1)3(c) of Sindh (Amend) Narcotics Act 2022, P.S. SIU Karachi, at the time of arrest, from accused Asif Khan alias Mota son ofAUR, recovered 1600 grams of Charas , wrapped in plastic tap in the shape of Umbrella from his right side *Naifa* of his *Shalwar* , therefore the offence against the accused falls U/s 9(1)3(c) of Sindh (Amend) Narcotics Act 2022, P.S. SIU Karachi, hence the accused was arrested, the recovered *Charas* has been separately sealed and stamped on spot, and the accused after thoroughly searched were taken into custody through *Fard* , which was prepared at the spot, after return to police station, the instant case against Accused AKM son ofAUR is made out, as per direction of highup, the investigation shall be carried out by SI MW posted at this police station, and FIR will be distributed as per procedure.
  
2. That applicant/accused has filed bail application before Learned District and Sessions Judge at Karachi West, which was transferred to the Learned 1<sup>st</sup>

Additional District and Sessions Judge West Karachi being bail application  
No. which was dismissed by the learned trial court vide order dated 2023.

3. That after completion of initial investigation, the charge sheet/Challan was submitted by the prosecution against the accused, after completion of further legal formalities, the case was transferred to Learned Trial Court/I<sup>st</sup> Additional District Sessions Judge Karachi West, for trial.

**The certified Photocopy of Challan and Chemical Examination report are annexed and marked as "D & D/1").**

4. That after passing considerable period of 6 month period) the 1<sup>st</sup> bail application was moved before Learned Trial Court on behalf of the accused, mainly on hardship ground of applicant/accused and lack of interest on the part of prosecution to conclude the trial, which was also dismissed vide Order dated 2023. hence this second bail application on the following fresh grounds: -

### **GROUNDS**

1. That the applicant/ accused is innocent and falsely implicated in this case with malafide intention and has committed no offence.

2. That there is nothing recovered from the possession of applicant / accused, and the alleged recovery has been foisted upon the applicant / accused by the prosecution due to non-fulfillment of bribe money.
3. That another co-accused namely Habib ur Rehman alias Mama son of Hassan Shah who was arrested along with the present applicant/accused and joint memo of arrest and recovery was prepared by the concerned police, later on two separate FIRs FIR No. abd FIR No, U/S 9(1)3(c) Control of Narcotics Act 2022 at PS SIU, have been lodged of same incident and quantity i.e; 1600gram , and the co-accused namely Habib ur Rehman alias Mama who has been granted bail by this Honorable Court vide order dated2023 in Bail Application No. in the sum of Rs.50,000/- as such Rule of Consistency is fully applicable in the case of present accused and he is entitled for bail as a matter of legal right.
4. That the prosecution miserably failed to cite any private witness for the purpose of search and recovery of alleged charas, as the area is very thickly populated, and case needs further inquiry.
5. That the alleged recovery of 1600 grams of Charas from the possession of applicant is highly doubtful as there is no tangible evidence available for

prosecution to prove the same in such circumstances, hence the case is doubtful and needs further inquiry.

6. That the alleged incident took place at 0015 hours and the police officials made the entries in the police station when they returned, so mentioned the time as 0230 hours and the same time mentioned in the FIR according to the incident at 0015 hours which is a serious contradiction and creates doubt in this case.
7. That the prosecution totally failed, not to mention in the FIR Challan and arrest memo and in their statement witnesses under section 161 Cr.P.C that the charas was sent to the chemical Examiner which is violation of law.
8. That the prosecution failed to show any purchaser of alleged Charas, which fact creates doubts and case needs further inquiry.
9. That final challan has been submitted and investigation is over and keeping the applicant/accused behind the bar will serve no purpose and as such he is entitled for concession of bail.
10. That so far no charge has been framed from the date of commencement of trial and only copies were supplied to the accused so far and since then the accused is being kept behind the bar un-justifiedly.

11. That there is no any criminal case pending against accused except the present one and he never remained involved in any criminal case.
12. That applicant / accused is permanent residing of Karachi and there is no likelihood of their absconding if he is admitted to bail.
13. That the applicant / accused is belongs to the labour category and suffers irreparable losses and the said offense involved is not punishable as the sentence of death or life imprisonment, hence applicant is entitled for the concession of bail and due to his prolong confinement, his family members are facing hardship for no fault on their part.
14. That the applicant / accused is ready to furnish solvent surety to the entire satisfaction of this Hon'ble Court.
15. That the further grounds shall be submitted at the time of hearing of this bail application.

### **PRAYER**

It is, therefore, very respectfully prayed on behalf of the applicant / accused abovenamed that this Hon'ble Court may be pleased to grant bail to the applicant / accused on consideration of forgoing facts and grounds, in the best interest of justice.

Karachi:

Dated:

Advocate for the Applicant / Accused.

**IN THE HIGH COURT OF SINDH AT KARACHI  
(Criminal Appellate Jurisdiction)**

Bail Application No. / 2023

AKM .....Applicant / Accused

VERSUS

The State.....Respondent

**APPLICATION U/R 9, CHAPTER**

**III-B, VOLUME -V**

**OF HIGH COURT RULES**

For the facts and reasons disclosed in the accompanying affidavit, it is very respectfully prayed on behalf of the above-named applicant / accused that the Hon'ble Court may graciously be pleased to take up the matter as an urgent motion and fix the same on \_\_\_\_\_ in Court or before the chamber for hearing and orders.

Prayer is made in the interest of justice.

Karachi: Advocate for the Applicant / Accused

For immediate use in Court on behalf of the  
applicant / accused.

**IN THE HIGH COURT OF SINDH AT KARACHI**  
**(Criminal Appellate Jurisdiction)**

Bail Application No. / 2023

AKM .....Applicant / Accused

VERSUS

The State.....Respondent

**AFFIDAVIT**

I, GMKJ , Advocate, Muslim, Adult, R/o Karachi, practicing as an advocate,  
do hereby state on Oath as under:

1. That I am the counsel of the applicant / accused in the above matter and deponent of this affidavit, as such fully conversant with the facts of the accompanying application.
  
2. That the accompanying Urgent application has drafted and filed under specific instructions of accused persons, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.

3. That I say that the applicant / accused is behind the bar since his arrest, as no fault from his side, and the prosecution unnecessarily dragging out him in this false case.

4. That I say that unless the accompanying application is granted the applicant / accused shall be seriously suffer and irreparable losses.

5. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated: DEPONENT

**IN THE HIGH COURT OF SINDH AT KARACHI  
(Criminal Appellate Jurisdiction)**

Bail Application No. / 2023

AKM  
S/oAUR  
Muslim, Adult, Presently  
Confined in Judicial Custody.....Applicant / Accused

**VERSUS**

The State.....Respondent

**APPLICATION FOR EXEMPTION**

For the reasons disclosed in the accompanying affidavit, it is respectfully prayed on behalf of the applicant / accused abovenamed that this Hon'ble Court may be pleased to allow to produce the Photocopies of the annexures in the above-mentioned case, in the larger interest of justice.

Prayed accordingly.

Karachi:

Dated: Advocate for the Applicant / Accused

For Immediate use in Court  
On behalf of the Applicant  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**(Criminal Appellate Jurisdiction)**

Bail Application No. / 2023

AKM  
S/oAUR  
Muslim, Adult, Presently  
Confined in Judicial Custody.....Applicant / Accused

VERSUS

The State.....Respondent

**AFFIDAVIT**

I, GMKJ, Muslim, Adult, Advocate practicing at Karachi do hereby state on  
Oath as under:-

1. That I am the counsel of the applicant / accused in the above matter and deponent of this affidavit, as such fully conversant with the facts of the accompanying application.
  
2. That the accompanying Exemption application has drafted and filed under my specific instructions, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.

3. That I say that unless the accompanying application is granted applicant / accused shall be seriously suffer and irreparable losses.
4. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated: D E P O N E N T

**IN THE COURT OF DICTRIFT AND SESSION JUDGE AT KARACHI EAST**

**Criminal Appeal No. /2021**

**MJ**

**Presently confined in Central Prison  
Through his Counsel ----- APPELLANT**

**V E R S U S**

**1. AQ S/o MI  
R/o Karachi.**

**2 XXIIND Judicial Magistrate,  
East Model Trial Magistrate-II**

**3. The State ----- RESPONDENTS**

**CRIMINAL APPEAL UNDER SECTION 408  
OF CRIMINAL PROCEDURE CODE**

Being aggrieved and dissatisfied with the sentenced passed by the learned XXII-ND Judicial Magistrate, East Model Trial Magistrate-II vide Judgement dated 2021, the Prosecution story briefly discussed as under:

**(Copy of judgment dated 01-06-2021 is attached herewith as annexure "A/1".**

## **F A C T S**

Brief facts of the prosecution story are as follows:

1. That in October 2018, the respondent No.1 was introduced with appellant by one MA, who has business of wood in Market who disclosed to the respondent No.1 that he had order of Wood from Russia and offered to the respondent No1 to make investment in his business and will earn good profit, thereafter, the respondent No.1 after proper discussion paid different amounts total sum of Rs.76,00,000/- through cheques and also in shape of cash to appellant MJ in presence of his father for investing in Wood Business in different times, upon which the appellant agreed to pay profit of the same after four months. The respondent No.1 demanded his business amount from the appellant on which the appellant dishonestly issued Cheque No. of Rs.70,00,000/- dated 2019 on presentation the same was dishonored by the concerned bank. The FIR was lodged against the appellant / appellant and investigation was conducted.
2. On 2019, the Investigation Officer submitted the interim challan against the appellant and his name was placed in column No.2 with red ink and on 2019, the I.O. submitted the Charge Sheet No. against the appellant and same was accepted vide order dated 2019 by the concerned Court of law. The appellant

MJ was admitted on bail vide order dated 2019 passed by learned XVII Judicial Magistrate Karachi East. Necessary copies as required U/s 241(a) Cr.P.C were supplied to appellant under receipt as Exh. 01. A formal charge U/s 242 Cr.P.C was framed against them in which he pleaded "not guilty" and claimed trial vide plea recorded at

3. During the course of the trial, the prosecution has examined PW Adeel Khalid, he produced cheque along with return memo and deposit slip and letters. PW AQ produced photocopy of the agreement, photocopies of bank statement of account FIR, memo and naqsha nazri , memo . PW Muhammad Ashraf, produced original agreement, PW Ghulam Sarwar produced qaimi entries No.s. 35 & 47. Entries Nos.17 & 11 and Entry No.23. The learned ADPP for the State closed side of the Prosecution.
4. The statement of appellant as recorded u/s 342 Cr.P.C in which appellant denied allegations and stated that he has no any business terms with the respondent No.1 in respect of wood. He never received any amount from the respondent No.1 as alleged by the complainant/respondent No.1 for business purpose. Fact is that he had business of woods in which he took orders from the customers and after repairing and making the articles, he supplied them back. The respondent No.1 ordered the appellant for preparing the doors and other articles of different amount, which he used to deliver him and payment was made in advance. He has not issued disputed cheques to him, since the

respondent No.1 made good relation with him and he has transferred this cheque to one AS and he does not know how his cheque has been misused by AS and respondent No.1, better known to them The appellant also denied the agreement as fake and also denied the signature apparent on disputed cheque and agreement. The appellant further stated that he is innocent and has been falsely implicated in this case The respondent No.1 appeared at his shop and misbehaved with his father also did main handling with him. In this regard, his brother Muhammad Junaid moved application as PS Napier, Karachi. He produced such original receiving of application, cheque leaf issued to AS and deposit slips of amount deposited in account of daily Health Care on the instruction of respondent No.1. He also produced the copies of Bill, accounts of statement of his personal bank account in Allied Bank Ltd, and Meezan Bank Ltd.

5. The learned ADPP for the State duly assisted by the learned Counsel for the respondent No.1 inter alia argued that the prosecution has established its case beyond shadow of any reasonable doubt; that the prosecution witnesses have fully stamped the charge of the subject crime against the appellant persons. He further argued that no contradictions of the prime significance are apparent in the evidence of the prosecution witnesses, who are constant on outstanding amount of the respondent No.1 against the appellant, the latter by means of fraud with sole object not to return the subject amount, dishonestly

issued a cheque, which was dishonored on the presentation; that the documentary evidence is also available on record to show that the appellant persons have committed offence as alleged. The learned counsel for the respondent No.1 supported the arguments of learned ADPP for the State and also prayed for conviction of appellant.

**Copies of the FIR and Charged Sheet are attached herewith and marked as annexure “A/ to A/ ”**

**G R O U N D S**

1. That the accused/applicant is innocent and has falsely been implicated / convicted in above case/ FIR on the basis of forged and fabricated documents produced by the respondent No.1 in his favour and against the appellant.
2. That the respondent No.1 put the dust in the eyes of law and got the sentenced thereby imprisoned the innocent appellant.
3. That the Learned Trial Court has failed to determine this fact hence the judgment of the trial court is fanciful and contrary to the law hence liable to be set-aside, **PURE EXAMPLE OF ONE OF COPY PASTE**, which is evident by the page No.10 in first two lines/paragraphs, which is reproduced as under:

**“That co-accused Chan Sultan as sole responsible of Al Sultan Towers and Travel and he has no role and designation in the company.”**

4. That the subject judgment is pure example of copy paste, in such a judgment the innocent appellant is being convicted which shows incompetency of learned trial court while passing such judgment in irresponsible manner
5. That the respondent No.1 has failed to give detail of transfer of total amount of Rs.76,00,000/- through reliable mode. That it is a well settled principle of law that in such cases transaction must clearly be proved through reliable sources that such amount has been transferred to accused and the accused is liable to pay the same and in this regard the veracity is concerned in which capacity the cheque is issued to the complainant, but in this case complainant has miserably failed to produce single detail of amount which he has given to the accused and took cheque from the accused / appellant.
6. That during cross examination the counsel put various questions to the complainant regarding the cheques and as well as disputed cheque amount but the complainant did not properly reply in cross examination the important question are as under: -

**“it is correct to suggest that the amount I invested were of my father of Rs.76,00,000/- and I have not stated such fact in any of statement.”**

**“It is correct to suggest that I have not produced account statement of my father at the time of investigation and as well as trial of the case.”**

**“It is correct to suggest that I have not stated in contents of FIR, where my father withdrawn alleged amount and gave me such**

**amount in shape of cash and such fact I haven to state in anywhere in the statement that my father gave cash amount to me for investment in business and I do not remember the date month and year when my father gave amount.”**

7. That the such facts is not mentioned in any of the investigation that the amount was given by the father and further the complainant's father is not a witness and as well as not even present in the court and lodge any complaint regarding the subject incident and further IO did not send any notice to the father of the complainant regarding such inquiry of such fact being main issue to show the money trail as the complainant was not in any business at that time.
8. That in further cross examination, the complainant stated “**that 6500\$ Pakistani Rs.8,00,000/- at the time of execution of agreement and such fact has not been mentioned in any statement. Second payment of Rs.28,00,000/- which I deposited in bank account. It is correct to suggest that I have not mentioned in any statement, FIR, Chief and application about the payment of Rs.28,00,000/- which I deposited in account of Munir and he is not incorporated in the FIR. Thirdly I made payment through bank account as per bank statement produced by me in evidence, I paid Rs.28,00,000/- to Munir on the instruction of Accused MJ and such facts I have not stated anywhere in my statement. In number of meetings, I paid Rs.76,00,000/- in different times in respect of business**

to accused in year 2018 to 2019. It is correct to suggest that the sum of amount as per bank statement which I have produced before this Court would not be Rs.76,00,000/- . I paid in different installments i.e. 50,000/- and Rs.100,000/- as per my bank statement i.e. Rs.5,00,000/- to Rs.5,50,000/- approximately. It is correct to suggest that such fact of Rs.500,000/- to Rs.5,50,000/- I have not stated in my FIR. Vol. says I disclosed to I.O. and gave him bank statement during investigation. Fourthly I made payment of Rs.15,00,000/- cash approximately to accused in respect of business to accused. It is correct to suggest that such fact of payment of Rs.15,00,000/- is not mentioned in my any statement. I paid alleged amount to accused to Zahid Tariq Road Karachi, in presence of Ashraf, Jehangir/accused, Junaid and Munir and I have not stated their names in my any statement. It is correct to suggest that I paid Rs.28,00,000/- to accused at Timber Market Karachi. It is correct to suggest that I have not stated specifically about payment of Rs.28,00,000/- which I paid to accused at Timber Market, Karachi. It is correct to suggest that I have not produced any proof that I paid amount of Rs28,00,000/- in bank account in Habib Metro of Munir and such fact is not mentioned in contents of FIR and statement u/s 161 Cr.P.C. it is correct to suggest that I met with Munir at his office and did not know Munir prior to meeting with accused Jehangir and before execution of alleged agreement.”

9. That the complainant stated that he paid Rs.56,00,000/- to Munir on instructions of accused but the complainant did not state in FIR as well as investigation that as per contents of cross examination when counsel put specific question , “Is Munir is a witness of subject FIR or not”. That the Munir is not a witness and not incorporated in FIR and even the complainant himself not sent any legal notice to the said Munir for recording of his statement and further the complainant failed to show any deposit slip or online transactions of bank in between Munir and complainant at the stage of investigation and as well as trial , that it is settled principle of law when the investigation is not made about any factual controversy the same could not be taken as part of evidence but in the subject case the learned trial passed the conviction on the this sole grounds that the complainant paid the amount to the Munir on instructions of accused but Munir is not made part and parcel of this investigation and even Learned Trial Court and as well as complainant did not made any application for recording of statement of the said Munir even after submission of challan as far as the learned trial court discussed that the name of Munir shown in column credit of bank statement produced by the accused , which is connected Munir and accused. That the subject statement produced by the accused in his defence that in his bank statement he has even received any huge amount of Rs.76,00,000/- from the complainant but as far as the question of Munir is concerned, that the learned trial court written in his

judgment that the name of Munir shown in credit column in the bank statement of accused but learned trial court not determined the factual position which amounts is shown in the credit amount, that amount is pertaining to complainant amount or not , the subject query raised by the learned trial court in the judgment is only based of presumption and assumption and further Munir is the friend of complainant and in this regard whereas there was dispute of civil nature between accused and Munir hence the accused filed Civil Suit against Munir which is also produced before the trial court.

**(Copy of Civil Suit is attached herewith and marked as annexure A/ )**

10. That the total amount which he shown in FIR and Examination in Chief , cross examination is Rs.76,00,000/- but at the time of cross examination, which amount is come to the tune of Rs.1,12,00,000/- as per his statement which he transferred to accused and Munir. This facts is not considered by the learned trial court and even not discussed the such facts in the learned trial court judgment, that the learned trial court passed judgment on arbitrary manner and even not discussed the total amount which is reflected by the cross examination of the complainant and as well as even not discussed the core issue of evidence that complainant himself admitted that when he gave amount of Rs.28,00,000/- to the MJ he was alone with the accused MJ but on other hand, his witness namely Ashraf admitted in his cross examination that

he was present at that time when the complainant gave amount of Rs.2800,000/- to the accused, such facts of evidence are also not discussed by the learned trial court that complainant and his witness manipulated the fake story of money trail and as well as cheque of the accused.

11. That the learned trial court stated in his judgment that learned counsel has not asked a single question regarding issuance of cheques, that the accused counsel specifically asked the question regarding the cheque that whether the cheque was filled by the complainant , and further he replied it is correct to suggest that my claim amount is Rs.76,00,000/- and cheque reveal amount of Rs.70,000/-. That counsel of accused specifically question regarding the cheque amount that the complainant did not proper reply about the subject issue that he has admitted that the complainant claimed Rs.76,00,000/- but the cheque produced by the complainant is Rs.70,00,000/-, that how learned trial court say that this fact is gone unchallenged and unrebutted.

12. That after raising of above question, the burden of proof shifted on the shoulder of complainant why he produced the cheque of Rs.70,00,000/- instead of Rs.76,00,000/- but the complainant did not provide any plausible /reasonable reply/explanation about the disputed cheque and the such facts of evidence is not discussed and taken by the learned trial court this fact is required necessary discussion and burden is lies on the shoulder of prosecution and as well as complainant.

13. That as per the statement of the accused, the learned trial court written in the judgment that accused denied the signature upon the cheque but did not raise plea of verification of cheque but the accused counsel specifically raised the question to the complainant that the said subject cheque was filled by the complainant. That the learned trial court is empowered to pass order for forensic of the said cheque but the learned trial court failed to appreciate the question of the accused that the accused already raised plea of denial of signature upon the cheque, hence the appellant may graciously be pleased to order for forensic report for verification of signature. That the above said cheque was stolen by the said complainant from the shop of the accused and he also filled an amount of Rs.1,50,000/- upon the leaflet of the cheque book with malafide intention. That the accused has firstly narrated the true facts before the learned trial court , while later it transpired upon inspection of cheque book that there was written an amount of Rs.1,50,000/- against Mr AS as such the accused changed his statement as he has no relation with respect to such a huge amount as alleged in the said FIR with the said AQ but the said AQ has himself filled the cheque and also get signed from someone else , and the said signature can be verified /forensic from the concerned department as the said cheque was misplaced /misused by the said AQ and AS.

14. That the so called agreement produced by the complainant are also contradictory agreement with the statement of the complainant that during the cross examination he admitted that the agreement did not show the amount of Rs.76,00,000/-, profit rate and also with respect to the payment of amount at the time of execution of said agreement.

15. That the complainant also failed to mention about the execution of so called bogus agreement between the parties in the FIR and in the said FIR the complainant say that the accused has imported the wood from Russia and if the complainant invested the amount he would earn good benefit , whereas on the other hand , in the so called agreement , it is mentioned that the complainant would invest the money and the accused would import the wood from Russia and thereafter profit will be distributed among the accused and complainant, which shows the contradiction in the statements of the complainant.

16. That as per statement of the complainant in the cross examination, he had paid Rs.76,00,000/- to the accused but as per total mentioned in the said examination, it comes to the tune of Rs.1,1200,000/-. Moreover he has stated that he paid Rs.56,00000/- to one MN but failed to produce any documentary evidence against the accused that the said amount was transferred on his instructions. It is further submitted that he said that he had paid Rs15,00,000/- in cash to the accused in presence of witnesses but no witness

has accepted the said amount in their statement. It is further submitted that the complainant has stated that he had paid Rs.28,00,000/- in cash to the accused and at the time of payment of said amount no one was present except he and the accused, whereas his witness has admitted in his cross examination that the complainant had paid Rs.28,00,000/- in his presence and the complainant has also failed to produce any receipt of payment of such a huge amount before this Honorable Court. It is further submitted that the complainant had only transferred Rs.5,50,000/- through online transfer in the bank account of the accused and the complainant has already purchased the wooden articles from the shop of het accused being his customer against the said amount but the other amounts as mentioned in the said cross were neither paid to the accused nor transferred to any other person on his instructions as alleged in the said cross examination of the complainant.

**(Copies of bills are attached and marked as annexure A/ to A/ .)**

17. That there was already enmity regarding sale, purchase of articles between the accused and the complainant and an episode of quarrelsome was held at the shop of the accused and the said matter was also reported to the police station, which shows that there was enmity between the parties.

**(Copies of applications and report is attached and marked as annexure A/ to A/ )**

18. That the FIR was lodged on2019, on the basis of false statement of the complainant, as at the time of lodging the FIR, as the cheque was deposited

on 2019 in his bank account and stamp for clearing was for 2019, and memo for bounce of cheque by the said Bank2 Limited is also of dated 2019, which shows malafide of the complainant and his ulterior motives and the complainant had involved the accused in the said false case.

**(Copies of deposit slips and memo of cheque by the bank are attached and marked as annexure A/ to A/ )**

19. That the complainant has produced only one witness in his favour besides other mentioned in cross examination who is also interested witness as he himself stated that he used to works with the father of the complainant and common friend of the complainant as such the said person is interested witness and his statement cannot be considered as valid statement in the eye of law.

**(Copies of examination in chief and cross examination of the witness are attached and marked as annexure A/ to A/ )**

20. That the said witness has firstly admitted in the cross examination that the said cheque of Rs.70,00,000/- was issued by the accused at his office and at the same time he admitted that he has issued the said cheque at Market and thereafter he stated that he has wrongly mentioned that the said cheque was issued at the office of the accused, which also shows malafide of the said interested witnesses and there is contradiction in his statement about the issuance of cheque.

21. That there are also vast contradictions amongst the statements of the prosecution witnesses which the Counsel of the appellant will argue at the time of hearing of this appeal.

22. That the Learned Trial Court has overlooked the various aspects of the case and passed the conviction which is highly contrary and fanciful, bad in law hence liable to be set-aside and the convicted appellant is liable to be acquitted on the facts, laws and the circumstance discussed above.

**(Copies of Cross Examination, the Statement of appellant and complainant & Accused are annexed herewith and are marked as Annexure A/ to A/ )**

23. That the accused was granted bail in above case in lieu of surety of Rs.2,50,00,000/-.

24. That the conviction of the accused is against the law, norms of justice and equity and due good conscience and in the similar cases when the evidences is on the record in support of accused.

25. That the learned trial Court has not considered the circumstantial evidence.

26. That further grounds shall be argued at the time of hearing of this appeal with the kind permission of this Hon'ble Court.

**P R A Y E R**

It is therefore prayed that this Hon'ble Court may be pleased to release the appellant on bail; he is ready to furnish the surety.

1. That the appellant may be pleased to acquit from the charge of 489-F PPC.
2. To set-aside the judgment dated 2021 and be declare that the appellant is an innocent person and acquit him from the charge.
3. Direct the Trial Court to initiate the proceedings of section 182 of PPC on account of submission of wrong statement before the Hon'ble Trial Court.
4. Any other better relief, which this Honorable Court may deem fit and proper under the circumstances of the case.

Karachi

Dated:

**Advocate for the Appellant**

**IN THE COURT OF DICTRIFT AND SESSION JUDGE AT KARACHI EAST  
Criminal Appeal No. /2021**

MJ ----- APPELLANT

V E R S U S

AQ & Others ----- RESPONDENTS

**APPLICATION U/S 426 CR.PC**

It is humbly prayed on behalf of the abovenamed appellant / accused that this Hon'ble Court may graciously be pleased to release the appellant / accused on bail, till the deciding of the appeal U/s 408 Cr.P.C. and suspend the conviction awarded by learned learned XXII-ND Judicial Magistrate,vide Judgement dated 2021 in Session Case No., on the consideration of following facts and grounds:

**FACTS**

1. That in October 2018, the respondent No.1 was introduced with appellant by one MA, who has business of wood in Timber Market who disclosed to the respondent No.1 that he had order of Wood from Russia and offered to the respondent No1 to make investment in his business and will earn good profit, thereafter, the respondent No.1 after proper discussion paid different amounts total sum of Rs.76,00,000/- through cheques and also in shape of cash to appellant MJ in presence of his father for investing in Wood Business in different times, upon which the appellant agreed to pay profit of the same after four months. The respondent No.1 demanded his business amount from the appellant on which the appellant dishonestly issued Cheque No. of Rs.70,00,000/- dated 2019 on presentation the same was dishonored by the concerned bank. The FIR was lodged against the appellant / appellant and investigation was conducted.

2. On 2019, the Investigation Officer submitted the interim challan against the appellant and his name was placed in column No.2 with red ink and on 2019, the I.O. submitted the Charge Sheet No. against the appellant and same was accepted vide order dated 2019 by the concerned Court of law. The appellant MJ was admitted on bail vide order dated 2019 passed by learned XVII Judicial Magistrate Karachi East. Necessary copies as required U/s 241(a) Cr.P.C were supplied to appellant under receipt as Exh. 01. A formal charge U/s 242 Cr.P.C was framed against them in which he pleaded "not guilty" and claimed trial vide plea recorded at Ex 2/A.
3. During the course of the trial, the prosecution has examined PW AK, he produced cheque along with return memo and deposit slip and letters. PW AQ produced photocopy of the agreement, photocopies of bank statement of account FIR, memo and naqsha nazri, memo. PW MA, produced original agreement, PW GS produced qaimi entries . The learned ADPP for the State closed side of the Prosecution.
4. The statement of appellant as recorded u/s 342 Cr.P.C in which appellant denied allegations and stated that he has no any business terms with the respondent No.1 in respect of wood. He never received any amount from the respondent No.1 as alleged by the complainant/respondent No.1 for business purpose. Fact is that he had business of woods in which he took orders from

the customers and after repairing and making the articles, he supplied them back. The respondent No.1 ordered the appellant for preparing the doors and other articles of different amount, which he used to deliver him and payment was made in advance. He has not issued disputed cheques to him, since the respondent No.1 made good relation with him and he has transferred this cheque to one AS and he does not know how his cheque has been misused by AS and respondent No.1, better known to them The appellant also denied the agreement as fake and also denied the signature apparent on disputed cheque and agreement. The appellant further stated that he is innocent and has been falsely implicated in this case The respondent No.1 appeared at his shop and misbehaved with his father also did main handling with him. In this regard, his brother MJ moved application as PS, Karachi. He produced such original receiving of application, cheque leaf issued to AS and deposit slips of amount deposited in account of daily Health Care on the instruction of respondent No.1. He also produced the copies of Bill, accounts of statement of his personal bank account in Bank1 Ltd, and Bank2 Ltd.

5. The learned ADPP for the State duly assisted by the learned Counsel for the respondent No.1 inter alia argued that the prosecution has established its case beyond shadow of any reasonable doubt; that the prosecution witnesses have fully stamped the charge of the subject crime against the appellant persons. He further argued that no contradictions of the prime significance are

apparent in the evidence of the prosecution witnesses, who are constant on outstanding amount of the respondent No.1 against the appellant, the latter by means of fraud with sole object not to return the subject amount, dishonestly issued a cheque, which was dishonored on the presentation; that the documentary evidence is also available on record to show that the appellant persons have committed offence as alleged. The learned counsel for the respondent No.1 supported the arguments of learned ADPP for the State and also prayed for conviction of appellant.

6. On the above mentioned facts the case was trailed against the appellant / accused and subsequently the learned Judge convicted the accused and sentenced him, hence this application on the following grounds, hence this application on the following grounds:

## **GROUND**

1. That the appellant / accused is innocent and has been falsely implicated in this case.
2. That the record shows that the learned trial Court failed to make any efforts in order to arrange / provide defense counsel to the appellant at state expenses for pauper advocate, otherwise outcome of this case would be ends in acquittal of the appellant.
3. That even otherwise the prosecution against the appellant is replete serious doubts and contradiction hence the same could have not been the basis for passing conviction against the appellant.
4. That the conviction of the accused is against the law, norms of justice and equity and due good conscience and in the similar cases when the evidences is on the record in support of accused.
5. That the learned trial Court has not considered the circumstantial evidence.
6. That the entire evidence has been recovered by learned trial Court as such there is no apprehension to temper with the witnesses of appellant / accused released on bail.

7. That the appellant / accused is willing / ready to furnish solvent surety for the entire satisfaction of this Hon'ble Court.
8. That further grounds shall be argued at the time of hearing of this appeal with the kind permission of this Hon'ble Court.

**PRAYER**

It is therefore, prayed that this Hon'ble Court may be pleased to suspend the conviction and release the accused / appellant on bail on the consideration of above mentioned facts and grounds.

Prayed accordingly;

Karachi:

Dated:                  Advocate for the Appellant / Accused.

**For Immediate Use in Court only  
On Behalf of the Appellant**  
**IN THE COURT OF DICTRIST AND SESSION JUDGE AT KARACHI EAST**

**Criminal Appeal No. /2021**

MJ ----- APPELLANT

**V E R S U S**

AQ & Others ----- RESPONDENTS

**AFFIDAVIT**

I, WH S/o AH Muslim, adult, r/o Karachi do hereby state on oath as under:-

1. That I am the Counsel of the appellant and deponent of this Affidavit and well conversant with the facts of the case. I say that the accompanying applications under section 426 Cr.P.C have been drafted and fixed by me; contents thereof are true and correct and be deemed as forming part of this affidavit, not repeated here for sake of brevity.
  
2. That I say that the sentence is seemingly short, henceforth, it would be just, proper an expedient in the greater interest of justice that this Hon'ble Court may be pleased to suspend the sentence as in an identical case reported in the case in Lahore High Court being a D.B. judgment cited as 2008 PCRLJ at page 670.

3. That I say order of the production of Jail Report, where remissions, concessions and remaining period of which is un-expired of conviction would be clearly mentioned which substantially facilitates this Hon'ble Court to hear this appeal in all dimensions squarely.

4. That unless the instant application is granted, I shall be seriously prejudiced and whatever stated above is true and correct to the best of my knowledge, information and belief and upon legal advice of my counsel.

DEPONENT  
CNIC No.  
Cell No.

Karachi:

Dated: J

IN THE COURT OF DICTRIFT AND SESSION JUDGE AT KARACHI EAST

Criminal Appeal No. /2021

MJ ----- APPELLANT

V E R S U S

AQ & Others ----- RESPONDENTS

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1.	Memo of the Appeal alongwith its Affidavit		
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Karachi

Dated

Advocate for the Appellant

IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT KARACHI

CR. REV APP. / 2023

JA son of  
MYA  
Muslim, adult, resident of  
House No: S2/216 Derakhshan Society  
Kala Board Malir Karachi

Applicant

**VERSUS**

1. Mr MFL  
son of MAL,  
Muslim, adult, resident of, Karachi,

2. Model Trial Magistrate Court/ VII Civil  
Judicial and Judicial Magistrate, Karachi Central              Respondents

**CRIMINAL REVISION APPLICATION UNDER**  
**SECTION 435/439-A R/W SECTION 561-A CR.P.C.**

Being aggrieved and dissatisfied by the impugned order dated 2023 passed by the learned Model Trial Magistrate Court/ VII Civil Judicial and Judicial Magistrate, Karachi Central (Respondent No. 2) after issuance of Show Cause Notice to the applicant , thereby cancelled the bail already granted to the applicant in Criminal Case No. by Honorable Vth Additional District and Session Judge Karachi Central vide order 2020, it is humbly implored /prayed that this

Hon'able court may be pleased to set aside the order dated 2023 passed by the learned Model Trial Magistrate Court/ VII Civil Judicial and Judicial Magistrate, Karachi Central (Respondent No. 2) after pursuing the record of the case by calling **R&P** and direct the respondent No. 2 to proceed with the case and after recording the evidence and release / acquit the applicant in above case in accordance with law and on consideration of following facts and grounds:-

### **FACTS**

1. The brief facts of the case are that the respondent No.1 registered an FIR bearing No. , under section 498 Cr.P.C in PS , Karachi, and narrated in the said FIR that “Orally stated by the complainant I reside at the above address along with my family and carries on business of property and car. I with SHB and SHSB and JA and the director of Builder Pak China Town named DM son of MY - HBi in association with these three had made a cash investment of Rs.260,000,000 from January 2018 to October 2018, which has witnesses and audio recording. HB, JA and Town Director DM gave me some cheque and files of 7 Block A which are of Tower and some cheque for cash including (1) Cheque No. amount of Rs.850000/- dated 2019, Cheque No. (2) amount of Rs.800000/- dated/2019, these Cheque are in the name of NK , No. (3) CA Amount Rs.10,00000/- dated 2019 in the name of HB, and (4) CA Amount Rs.10,00000/- dated 2019 of HB, So I deposited in my account No.,Bank, Karachi, on different dates, which

bounced and returned on different dates which I told the above three, but they are being evasive, now I have come to report that legal action should be taken against them."

**(Copy of FIR is attached herewith and marked as annexure A/ 2)**

2. That after registration of above said FIR, and after knowing about the registration of FIR, the applicant above named got bail in the above FIR vide order dated 2020, and joined the trial and was regularly attending the above case, but the learned trial court (respondent No.2) issued show cause notice dated 20-03-2023 , the same was reply by the applicant but the learned trial court was again pleased to issue another show cause notice dated 2023, which was also replied by the applicant but no weight has been given by the respondent No.2 on the reasons / grounds and was pleased to pass the impugned order and cancel the bail already granted to the applicant in the above case vide order dated 2023, hence this Cr. Revision Application on consideration of following grounds:

)

**GROUNDS**

1. That impugned order is not in consonance with law laid down by the superior courts of Pakistan and as such is liable to be set aside.

2. That the Hon'able trial court has failed to consider the fact that the respondents has attempted to usurp the rights of the applicant fraudulently and it is the settled law that the fraud vitiate the most solemnest.
3. That the said DM (co-accused in above FIR) told the applicant to enter into compromise with the complainant and promised the applicant to pay an amount of Rs.1050,000/- to him for the said purpose and he also paid Rs.50,000/- to the respondent No.1 and on the basis of the said compromise the above bail was granted to the applicant thereafter he backed up from his promise as such compromise could not be affected with the respondent No.1, but thereafter the said DM and HB malafidely made compromise with the respondent No.1 and got removed their names from the FIR but as per promised failed to remove the name of the applicant, which shows that the said DM and HB have misused his cheques for their own cause with the sole intention to involve the applicant in this false and frivolous case, otherwise the applicant has no direct business relations with the respondent No.1.
4. That after grant of above bail through compromise with the respondent No.1, the applicant on the assurance of the said HB and DM (co-accused in above FIR) that they would make compromise with the respondent No.1, he left for Turkey in connection with this business, thereafter upon return from Turkey, when the applicant came to know that his CNIC is blocked, he joined the trial ,

but now the learned trial court vide order dated 2023 was pleased to dismiss his first bail application.

5. That the respondent No.1 malafidely involved the applicant in this matter as the applicant did not give any cheque to the respondent No.1 and further he has no business relation with the respondent No.1 but the said cheques were misused by the said co-accused for fulfillment of their ulterior motives.
6. That the respondent No.1 failed to describe any agreement regarding business deal with the applicant nor produced any authentic documentary proof, which create serious doubt in the instant FIR.
7. That no name of the witness has been mention in the FIR before whom the cheque is handed over to the respondent No.1 by the applicant and suppressed the real story from the investigation officer.
8. That the applicant did not give any cheque to the respondent No. 1, thus the alleged offence does not attract the section 489-F PPC.
9. That the respondent No.1 in his legal notice dated 2020, sent to Mr IAS through his counsel himself admitted in the said legal notice that he has not issued the said cheques to the accused/applicant but the said cheques were issued by one Hasham Bukhari and he has no connection / business relation with the applicant, therefore the applicant is entitled for concession of bail.

**(Copy of legal notice dated 21<sup>st</sup> January 2020 is attached herewith and marked as annexure A/ 2)**

10. That the respondent No.1 has already filed two FIRs against the applicant on false and fictitious grounds and the applicant has been granted bails in the said FIRs vide order dated -2022 in FIR No. 2, and order dated 2020 in FIR No

**(Copies of orders are filed herewith and marked as annexure A/ and A/ )**

11. That in any case it is the fit case where discretion should be exercised in favor of the applicant and he cannot be non suited as all the requirement of law has been fulfilled and hence the order impugned is liable to be modified, revised and set aside with appropriate directions as the trial court has not given sound and cogent reasons, and did not exercise its jurisdiction in true sprite of law and hence forth the order impugned is liable to be modified, revised and set aside and the applicant be given fair, cogent chance/ opportunity to defend his case and debar the applicant from the said Defence will cause miscarriage of justice and the same cause will suffer a lot to the applicant and is deprived from his Defence.

12. That after granting of bail, the applicant joined the trial and after 3 dates of hearing, the learned trial court was pleased to issue show cause notice which is against the law and there is no provision for issuance of said show cause notice is available under the law.

13. That earlier when the applicant did not appear before learned trial court, section 87-88 was conducted but no proceeding under section 514 Cr PC was carried out and surety was not forfeited as such the bail of applicant was intact and on the said bail, the applicant joined the trial and the said warrant of arrest issued under section 87-88 has been finished and no surety was forfeited , and when the applicant joined the trial, the learned trial court issued show cause notice and cancelled the bail of the applicant granted by District and Session Judge Central without sending any intimation to the honorable court as the learned trial court has no authority to cancel the said bail under section 497(5) Cr.P.C, the learned trial court was required to transfer letter to Session Court and the Honorable District & Session Court may cancel the bail. The learned trial court can only call surety from the Session Court, but instead of sending intimation and calling of surety from the Session Court, cancelled the bail granted by the Session Judge at Karachi Central in presence of accused and called surety , as such the said act of the learned trial court for passing impugned is illegal and unlawful and liable to be set aside and further allow the applicant to join the trial of the case.

**(Copy of Warrant of 87-88 is annexed herewith and marked as annexure A/ )**

14. That so far question of limited jurisdiction U/S 439 Cr.P.C. is concerned the same is also not true as it is well settled by now that the findings of facts recorded by the trial court cannot be treated as sacrosanct and can be

interfered with by this Court under its Revisional Jurisdiction conferred under Section 493 of Cr.P.C. when the finding are based on insufficient evidence, misreading of evidence, non consideration of material evidence, erroneous assumptions of facts, patents error of law, consideration of inadmissible evidence, excess or abuse of jurisdiction, arbitrary exercise of power and where unreasonable view on evidence has been take.

15. That the Learned Trail Judge, did not advert to the facts of the case and have bypassed the documents, which renders the entire order as now passed as nullity in the eyes of Law and the applicant prays that the same be modify, alter and set aside with ample legal justification.
16. That the Revisional Court have got jurisdiction in all the appropriate matters to substitute its own findings and hence the revision merits to be allowed, the case be ordered to be dismissed and applicant be acquitted by charges leveled against him and the instant revision being well within time with permission to argue and argue further points at the time of hearing of revision application.
17. That the instant revision is well within time and counsel for the applicants crave leave of this Hon'ble court to urge, argue and submit further grounds at the time of hearing of main revision application.

**PRAYER**

In view of above, it is therefore prayed that this Hon'ble court may be pleased to set aside the impugned order dated 2023 by the respondent No.2 after issuance of Show Cause Notices to the applicant, it is humbly implored /prayed that this Hon'ble court may be pleased to set aside the order dated 2023 passed by the respondent No.2 after pursuing the record of the case by calling **R&P** and direct the respondent No. 2, after proceeding the case in accordance with law and acquit him from the charges in above FIR.

Karachi  
Dated

Applicant

Advocate for the Applicant

***For immediate use in Court***  
***On Behalf of the applicant***

**IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT KARACHI**

CR. REV APP. / 2023

JA

## Applicant

## VERSUS

Mr MFL  
son of MAL, & Another Respondents.

## **AFFIDAVIT**

I, JA son of MYA, Muslim, adult, resident of Karachi, do hereby state on  
Oath as under:

1. That I am the applicant, and is able to depose the facts mentioned with respect to their subject matter of the proceedings in dispute.
  2. That I say that the accompanying Revision Application has been drafted and filed under my specific instructions and contents thereof are true and correct to be deemed as forming part of this affidavit and brevity sake.
  3. That I say that as per advice of my counsel that the matter is still debatable and requires a detailed interpretation /interference of the Court and I say that

in order to make the matter ready for institution in this Hon'ble Court, the revision has been filed as the learned trial court (Respondent No. 2) have not properly exercised its jurisdiction vested in it.

4. That until and unless the revision application is granted, as prayed, I shall be seriously prejudiced.
5. That whatever stated above and in the accompanying revision application are true and correct to the best of my knowledge, information and belief and as per legal advice of my counsel, which I verily believe to be true and correct.

Karachi  
Dated

**DEPONENT**  
**CNIC No.**  
**Cell No.**

**IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT KARACHI**

CR. REV APP. / 2023

JA

## Applicant

# VERSUS

Mr MFL  
son of MAL, & Another Respondents.

## **APPLICATION FOR CALLING R & P**

It is prayed on behalf of the applicant above named that this Hon'ble Court may be pleased to call **R&P** from the learned Model Trial Magistrate Court/ VII Civil Judicial and Judicial Magistrate, Karachi Central (Respondent No. 2) as the same shall be conducive for just decision of the instant criminal revision application.

Prayer for calling R&P is made in the interest of justice .

## Karachi

Dated Advocate for the Applicant

IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT KARACHI

CR. REV APP. / 2023

JA

Applicant

**VERSUS**

Mr MFL  
son of MAL, & Another                      Respondents.

**AFFIDAVIT IN SUPPORT OF**  
**APPLICATION FOR CALLING R & P**

I, JA son of MYA, Muslim, adult, resident of Karachi, do hereby state on Oath  
as under:-

1. That I am the Applicant in the above case, hence am well conversant with the facts of the matter.
2. That the accompanying application for calling R & P has been drafted by my counsel after due consultation with me.
3. That until and unless the accompanying application is allowed, the Applicant shall be seriously prejudiced.
4. That whatever stated above and in the accompanying application are true and correct to the best of my knowledge and belief.

**Karachi:**

**Dated:**

**DEPONENT**

**IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT KARACHI**

CR. REV APP. / 2023

JA

## Applicant

## VERSUS

Mr MFL  
son of MAL, & Another

**APPLICATION FOR STAY / SUSPENSION  
OF ORDER DATED 07-04-2023**

It is prayed on behalf of the applicant above named that this Hon'ble Court may be pleased to stay the operation / suspend the order dated 2023, till disposal of this revision application as the same has been passed by violating the rules and regulations without giving due weightages to the reply of show cause notices and cancel the bail already granted to the applicant and has never misused the same but after joining the trial was regularly attending the court but absence so made in the case has been fully justified with supporting documents but no due weight has been given by the learned trial court and was pleased to cancel the bail.

Prayer is made in the interest of justice .

## Karachi

Dated Advocate for the Applicant



IN THE COURT OF DISTRICT AND SESSION JUDGE CENTRAL AT KARACHI

CR. REV APP. / 2023

JA

Applicant

**VERSUS**

Mr MFL  
son of MAL, & Another                      Respondents.

**AFFIDAVIT IN SUPPORT OF APPLICATION**  
**FOR STAY / SUSPENSION OF**  
**ORDER DATED 07-4-2023**

I, JA son of MYA, Muslim, adult, resident of Karachi, do hereby state on Oath as under:-

1. That I am the Applicant in the above case, hence am well conversant with the facts of the matter.
2. That the accompanying application for stay /. Suspension of order dated 2023 has been drafted by my counsel after due consultation with me and contents whereof may be treated as part and parcel of this affidavit for the sake of brevity.
3. That until and unless the accompanying application is allowed, the Applicant shall be seriously prejudiced.
4. That whatever stated above and in the accompanying application are true and correct to the best of my knowledge and belief.

**Karachi:**

**Dated:** **DEPONENT**

**IN THE COURT OF JUDICIAL MAGISTRATE AT KARACHI**

Fourth Bail Application No. / 2021

BA son of Rashid Ahmed  
Muslim, Adult, Resident of  
Karachi, presently confined at  
Central Prison Karachi

Applicant/Accused

**VERSUS**

The State Respondent

FIR No. 02/2021  
U/S 371-A/371-B/376/506/34 P.P.C  
P.S. Nazimabad Karachi

**BAIL APPLICATION UNDER SECTION 497 CR.P.C.**

It is most respectfully submitted on behalf of the applicant / accused abovenamed that this Hon'ble Court may be pleased to grant / enlarge the applicant / accused on bail, on the facts and grounds mentioned here as under: -

**FACTS**

1. Brief facts giving rise to the instant FIR No. 02/2021, registered at PS Nazimabad, under section 371-A/371-B/376/506/34 P.P.C are that I ASI Muhammad Ashraf

posted at PS Nazimabad Karachi was present at the police station that one lady namely Nayab Batool has came at Police station and her own statement under section 154 Cr.P.C was recorded, whose detail are as under: from duty office police station Nazimabad Karachi on 2021 at about 0145, statement under section 154 Cr.P.C are that Mst Nayab Batool daughter of Muhammad Shahbaz, resident of Flat No. Karachi, Cell No. came at police station and orally stated that since for the period of 04 months she is living with one BL and his wife SH and I originally belonged to Gujranwala. My ex husband has left me and my son SB with them, later it disclosed by the said BL that my husband had sold me to him. Thereafter he along with his wife started maltreatment with me and forced me for prostitution and they again tortured my son, then I was forced to do the work of prostitution and I started the same, BL used to take me to different new places for prostitution with Na Mahram person and my son who was aged one year was kept by him. Today the said BL has left me at the area of Nazimabad and has taken my child with him and I after getting chance of escape have come to police station and after sometime BL would come to take me at Ground, my claim is against BL for forcing me to do work of prostitution by threatening and maltreatment with me and many times have committed Zina with me, legal action may be taken.

2. That the first bail application was moved by the accused/applicant before submission of Challan in instant FIR vide bail application No. \_\_\_\_\_ /2021 before this Honorable Court and the same was dismissed vide order dated \_\_\_\_\_ and later the accused /

applicant has filed a bail application Bail Application No. before Honorable High Court of Sindh at Karachi which was also dismissed vide order dated 2021, with the direction to the learned trial court to conclude the case within three months , and again a bail application No. was filed before IIInd Additional Session Judge at Karachi Central which was also dismissed vide order dated 2021, copies of bail orders and bail applications are already on record of judicial file.

3. That the trial court has failed to conclude the case within three months as per direction passed by the High Court of Sindh at Karachi vide order dated 2021, hence this fourth bail application on the following fresh and new grounds: -

### **GROUND**

1. That the applicant / accused is totally innocent and has committed no crime and has been falsely implicated / booked by the complainant / police party in the instant case.
2. That the I.O. of the case with the malafide intention and ulterior motives falsely involved the applicant/accused as well as arrested the accused due to previous enmity, while no any specific role of the applicant/accused in the Challan.
3. That no evidence has been found against the accused/ applicant as per MLO / medico legal report and DNA reports submitted by the Sindh Forensic DNA and Serology Laboratory and such the accused / applicant has falsely been involved in instant case and has been behind the bar since last --- months.

**(Copies of medical report, DNA report are filed herewith and marked as annexure A, to \_\_\_\_.)**

4. That Challan has been submitted by the prosecution in the above FIR as such investigation has been completed and the accused/ applicant is no more required for investigation by the prosecution in the above case.
5. That the FIR has been lodged with the delay of three months, but the complainant failed to explain such delay, hence the case creates doubts.
6. That the complainant has concocted a false and frivolous story just to implicate the accused/ applicant in the above case and she has also failed to disclose the exact time and date of the occurrence of said offence with her by the accused/ applicant.
7. That the complainant after registration of FIR has become intraceable and the IO of the case has submitted his report specifically mentioned that the complainant is not traceable.
8. That the IO has failed to produce any evidence to prove whether she was living in the house of the accused/applicant.
9. That IO has also failed to produce any documentary record of her ex-husband , and further no address of his father, or relative where she has been shifted after lodging of FIR.

10. That as per MLO report and statement of the MLO, no such medical evidences was found against the accused/ applicant to connect him in the instant case. No mark of injury/ violence seen all over the body of the complainant during physical examination by the doctor.

11. That the evidences collected and physical inspection made by the MLO, nothing has been approved of the occurrence of such incident as alleged in the FIR.

12. That no eye witness is mentioned in the FIR, who saw the applicant / accused at the time of committing such offence, as the witnesses mentioned are interested witnesses, therefore case need further inquiry.

13. That the prosecution has failed to conclude the case within three months in compliance of order passed by Honorable High Court of Sindh at Karachi in above case vide order dated 10-09-2021 which has completed on 09-12-2021 but the accused/ applicant has been behind the bar and facing trial but no evidence has been produced by the prosecution to convict the accused / applicant in the above case.

**(Copy of order dated 10-09-2021 passed by the Honorable High Court of Sindh at Karachi is filed herewith and marked as annexure \_\_\_\_\_)**

14. That the applicant / accused is law abiding citizen and he neither has been previously convicted nor involved in any other criminal case and his whole record is stainless.

15. That the case does not falls within the prohibitory clause of section 497 (2) Cr.P.C.
16. That the IO has also failed to produce any CDR of complainant mobile to prove whether she was living with the accused/applicant in the said house.
17. That the IO has also failed to produce MLO of physical torture etc with the complainant.
18. That the applicant / accused is neither has been previously convicted nor involved in any other case.
19. That applicant / accused is only bread winner of large family members, if he will remain in the jail, his family would be suffer irreparable loss.
20. That applicant / accused is permanent resident of Karachi and there if no chance of his abscondence.
21. That the applicant / accused is ready to furnish the surety according to the satisfaction of this Hon'ble Court in compliance to the order of this Hon'ble Court.
22. That the applicant / alleged accused prays to allow other grounds at the time of final hearing of this application.

**PRAYER**

It is, therefore, prayed on behalf of the above named applicant / accused that this Hon'ble Court may be pleased to enlarge him and allow accused / applicant on bail in the interest of justice and equity.

Karachi:

Dated: -12-2021

**Advocate for Applicant / Accused**

**IN THE COURT OF JUDICIAL MAGISTRATE AT KARACHI**

Second Bail Application No. / 2021

BA Applicant/Accused

VERSUS

The State Respondent

**AFFIDAVIT**

I, Waheed Hussain son of AH, Muslim, Adult, advocate , practicing at Karachi, do hereby state on Oath as under:-

1. That I am the deponent of this affidavit and duly engaged counsel for the applicant / accused in the above matter as such am fully conversant with the facts of the case.
2. That I say that the applicant/accused is behind the bar / jail custody since last one year and he has engaged me to file instant bail application before this Honorable Court and I am filing this bail on his behalf as he is behind the bar and could not appear before this Honorable Court to file instant bail application.
3. That whatsoever has been stated above is true and correct to the best of my knowledge, belief and information.

Karachi:

Dated: -12-2021

D E P O N E N T

**IN THE COURT OF DISTRICT & SESSION JUDGE WEST AT KARACHI.**

B.A. No. / 2023

SO son of  
MK,  
Muslim, Adult, Presently confined  
in Judicial Custody-----Applicant / Accused

VERSUS

The State ----- Respondent

**BAIL APPLICATION U/S 497 Cr.P.C.**

It is prayed on behalf of the abovenamed applicant / accused that this Hon'ble Court may be pleased to enlarge the applicant / accused on bail on the consideration of the following facts and grounds:-

**BRIEF FACTS**

Brief facts of the prosecution story narrated by the complainant that I ASI MSNi posted at Police Station Pak Colony with employees PC SR , PC SL 7401, D/PC Yf, via Mobile Official No. with motorcycle patrolling, police officials HC SO JH, PC SJA, PC IS , , for the purpose of stoppage of Crime were was busy patrolling in the area, during patrolling, we got information from our special informer that that one person standing inside the street corner at above address in column No.4 is busy in selling the Health Injurious Mawa, , after understanding the said

info genuine, I along with police party and motorcyclist Petrol reached at about 1135 hours at above mentioned place and found on person standing in the corner of street was busy in selling health Injurious Mowa, who was caught with the help of other police officials , who upon inquiry disclosed his name as SO son of MK, , , who was thoroughly searched in presence of accomplish employees HC SO JH, PC IS was made as witness due to non-cooperation of private witnesses and found that 90 packets of Health injurious Mawa was recovered inside the blue coluor plastic bag , Mawa was weighted on Digital Scale and was weighing about 3 KG and 50 Gram, which was taken in police custody and was sealed with stamp , whereas 5 packets wer separately sealed for chemical examination , the act of the accused above named reached under Section 4/8 of Gutka Mawa Act, the accused was arrested as per the rules and upon again search, Rs.140/- was also recovered from him, which were takin into police custody, case was registered against the accused above named after reaching back to police station. Copies of the FIR will be made according to the leader and distributed, hence this bail application on the following grounds:

#### **GROUNDS**

1. That the applicant / accused is quite innocent and falsely implicated in this case due to enmity, though he has no concern in the said offense.

2. That the police was motivated by malice and spit to entangle the accused of the said case when he failed to fulfill the illegal demands of police.
3. That the alleged offence is bailable and the maximum punishment of Section 8 of Gutka Act is not less than one year or fine Rs.2,00,000/- and the same is also bailable, hence the alleged offences does not falls within prohibitory clause of Section 497 Cr.P.C.
4. That the law prescribed that bail is better than Jail hence the accused is entitled for bail, as the offence was earlier bailable.
5. That the complainant falsely implicated to the applicant / accused by refusing illegal gratification by him to the complainant.
6. That there is no any reasonable ground in which applicant / accused has committed any offence whatsoever as alleged by the prosecution.
7. That there is no recovery from the possession of applicant / accused and the alleged recovery had been foisted upon the applicant / accused.
8. That the applicant / accused is neither previous convicted nor involved in any dangerous, disparate or hardened in criminal activities.

9. That the punishment of the offence is only one year and same is falls in the category of minor offences and does not fall within the prohibitory clause of section 497 Cr.P.C.

10. That the accused is permanent residing of Karachi and law abiding citizen of Pakistan as such he would neither abscond nor would temper with the PWs.

11. That the applicant / accused is ready to furnish solvent surety according to the satisfaction of this Hon'ble Court.

12. That the applicant/accused is labourer and is only the bread earner of his family and in case he is kept behind the bar, his family members shall suffer a lot in such era of high inflation.

13. That the further grounds would be urged at the time of hearing of this bail application with permission of this Hon'ble Court.

#### **PRAYER**

It is, therefore respectfully prayed on behalf of the abovenamed accused that this Hon'ble Court may graciously be pleased to enlarge him on bail, on the consideration of foregoing facts and grounds, in the best interest of justice.

Karachi:

Dated: Advocate for the Applicant / Accused

IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI SOUTH

B.B.A. Appl. No. / 2024

Mr. JK S/o  
Mr. KUR,  
Muslim, adult, Resident of Zone-4,  
West Garden City House No.36,  
Street No.3, Bahria Town Islamabad,  
holding CNIC No.17201-2151924-9

Presently at Karachi

Applicant / Accused

VERSUS

The State -----Respondent.

FIR No. 43/24  
U/s 448/511/504/506-B/  
147/148/149/34 PPC  
P.S. Darakshan Karachi

**BAIL APPLICATION U/S 498 CR.P.C.**

It is, respectfully prayed on behalf of the applicant / accused abovenamed that this Hon'ble Court may be pleased to grant him bail before arrest, on the consideration of following facts and grounds: -

**FACTS**

Brief facts of the case are that with reference to Report No. 39, of this Roznamcha dated 25-01-2024, I SIP Muhammad Suleman posted at police Station Darakshan , Karachi along with official / servants PC Roshan Ali 3604, DR/PC Muhammad Waseem 36076 on Government Mobile Darakshan No.1

SPE 258 after recording statement under section 154 PPC have come back to police station and copy of the statement recorded under section 154 PPC is as given below, that Mr Khawar Hussain son of Muhammad Hussain Shad, resident of Flat No. B-10, Block 16, Muhallah Yasir Apartment, Gulshan-e-Iqbal, Karachi, Cell No. 0333-9222310, CNIC No. 42201-6683016-3, upon inquiry stated that I am living at above cited address and doing my private business. My cousin Saeeda Akhtar Ameer Ahmed owned a house i.e. Bangla No. 66, Main Khayaban-e-Shahbaz, Phase-6, DHA, Karachi, which is being looked after by us and our one Chokidar/watchman namely Maskeen son of Sewargi remained at the said Bangla. This house was given to our guests who came from USA on 20-1-2024. Today on 25-01-2024 at about 2300 hours our chowkidar informed us through phone that 25/30 persons equipped with arms came on 3/4 vehicles at about 2200 hours and started threatening the persons present in the house and the chowkidar on the force of arms and are trying to occupy the Bangla, therefore he called on 15 for police help aid, on this information, I Khawar Hussain along with Muhammad Yousuf son of Muhammad Ismail reached at the Bangla and found 25/30 persons present in the Bangla, which were found busy in harassing the family and chowkidar, who were inquired by me that what is mater, upon which JK son of KUR after abusing and threatening me told that this Bangla is owned to us and forced us to leave the house and vacated the same, in the meantime, the police mobile with 3/4 officials reached at the house, out of which one officer told his name SIP Muhammad Suleman, who in our presence asked

the names of persons present at the spot who gave their names 01 Jameel Khan son of Khalilur Rehman 02 Muhammad Junaid son of Afrasiab 03 Muhammad Younis son of Muhammad Ali Khan 04 Muhammad Shakeel son of Muhammad Shafi 05 Muhammad Shahzad son of Fakhruddin 06 Abdul Basit son of Muhammad Sharif 07 Faraz Ali son of Habibur Rehman 08 Malik Dilawar son of Malik Amir Saleem 09 Shehryar son of Noor Khan 10 Azharullah son Allah Dutta 11 Mohammad Ayaz al-Haq son of Mohammad Ismail 12 Ali Hassan son of Mohammad Bashir 13 Umair Sarwar son of Ghulam Sarwar 14 Javad Ali son of Jan Muhammad 15 Jalil Khan son of Khalilur Rahman 16 Ahmad Hussain son of Basaruddin 17 Mohammad Zubair son of Gholam Sarwar, armed with Riffle No. MSW1794, 23 Bore, loaded with Magzine 18 Shakeel Khan son of Khalilur Rehman with pistoal 9MM No. TF674.21A.02325 Load Magazine 19 Syed Shahid Hussain Naqvi son of Syed Kifayat Hussain Armed with pistol 9MM No. 4323 alongwith Loaded Magazine and Riffle 223 No. PCA487 loaded Magzine, whereas 7/8 persons succeeded to escape from the scene whereas name of one of person who escaped from the place of incident was disclosed as Muhammad Tahir son of not known and at the place of incident vehicles in their use (01) No. LE0666 Maker Revo , white colour and (02) BF4033, Maker Parado, of white color were aslo recovered and were taken in police custody, and all the wrting work were done by the police officer SIP Muhammad Suleman in our present and we all subscribed our signatures , now I gave statement that my claim is against the above said persons for entering in the house occupying the house on the

strength of arms, for abusing and common intention to threaten for killing us, police action may be taken against them.

Action Police: I SIP Muhammad Sulaiman confirm that the statement under section 154 was read out verbatim to the complainant, who acknowledged it as correct and signed the statement in English, hence this bail before arrest application on the following grounds: -

### **GROUNDS**

- 1) That the Applicant / Accused is quite innocent and has been falsely implicated in this matter due to enmity with the complainant.
- 2) That there is inordinate delay in lodging FIR of 1 day and the complainant miserably failed to explain such delay, which creates doubts and case need further inquiry. **Relied upon 2008 P.Cr.L.J. 2524.**
- 3) That the applicant / accused purchased the said property from one Muhammad Saeed Shah Abdi S/o Aamir Ahmed, holding CNIC No.42301-4940431-1 at an agreed sale consideration of Rs.6,00,00,000/- (Rupees Six Crore only) and in this regard an agreement of sale dated 09 day of April 2014, was executed between the applicant / accused and said Muhammad Saeed Shah Abdi S/o Aamir Ahmed.

**(Copy of sale agreement dated 09 April 2014 is attached herewith and marked as annexure A/1)**

- 4) That the said Muhammad Saeed Shah Abdi S/o Aamir Ahmed assured the applicant/accused at the time of execution of above said agreement that the said property is free from all claims, liens, charges, burdens, bills, disputes, suits, liabilities, mortgage, encumbrances of whatsoever.
- 5) That the said Muhammad Saeed Shah Abdi S/o Aamir Ahmed, at the time of execution of the above said sale agreement has received from the applicant/accused a sum of Rs.3,00,00,000/- (Rupees Three Crore only) in cash being the advance payment towards sale consideration of the 'Said Property', receipt of which he hereby fully admitted and acknowledged separately.

**(Copy of the payment receipt is attached and marked as annexure A/ )**

- 6) That as per the terms of agreement of sale , the balance sale consideration to the tune of Rs.3,00,00,000/- (Rupees Three Crore only) of the said property was required to be paid by the applicant/ accused to the said Muhammad Saeed Shah Abdi S/o Aamir Ahmed, at the time of Registration of Sale/Conveyance Deed.
- 7) That the said Muhammad Saeed Shah Abdi S/o Aamir Ahmed, had also delivered / handed over the vacant, peaceful and physical possession of the said property to the applicant/accused at the time of execution of sale agreement and

also executed / delivered possession handing over and possession taking over letter duly attested by witnesses along with installed electric meter and gas meter installed over the said property. It is pertinent to mention that since then the applicant/ accused is enjoying lawful possession of the said property.

**(Copy of possession handing over and possession taking over letter  
duly attested by witnesses is attached and marked as annexure A/  
)**

8) That it is humbly submitted that the said Muhammad Saeed Shah died in the year 2015 and thereafter the applicant/accused approached his legal heirs and requested for performance of their part of contract on behalf of the deceased but they also tolerated on one pretext or the other and till to date they have failed and neglected to perform their part of contract and the above said act / registration of FIR against the accused is series of harassment and blackmailing the applicant/ accused to refrain them from demanding the transfer and now they have illegally and unlawfully occupied the said property.

9) That the applicant/accused has already filed a civil suit being Suit No. /2023 before the court of Senior Civil Judge at Karachi South, in respect of the said property against the legal heirs of the deceased which is pending for adjudication. It is humbly submitted that they have filed the above FIR just to save their skin and to harass and blackmail the applicant/accused and trying to get eviction of the said property by hook and crook through illegal means.

**(Copy of the suit along with annexure are filed herewith and marked as  
annexure A/ )**

10) That from the bare reading of FIR, it is crystal clear that there is civil dispute between the parties and in order to humiliate, disgrace and pressure the applicant, the complainant lodged this false case against him, as no such offence committed by the applicant.

11) That the FIR / case above mentioned has been filed to make revenge and to cause harassment to the applicant / accused in order to get go down into his feet.

12) That the alleged offences does not falls within the prohibitory clause of section 497 Cr.P.C.

13) That the complainant for wants of his malafide achievement and for the purpose to damage the reputation of applicant in his relatives, Mohalla Peoples lodged the instant case.

14) That since the registration of above case, the area police continuously busy in raiding to the applicant's house as well as houses of his relatives, therefore it is serious apprehension about the arrest of the applicant in this false case through the hands of police malafidely and in collusion with the complainant.

- 15) That if the applicant abovenamed will be arrested, he will be humiliated and subjected to be maltreated, which will cause damages to his reputation status and dignity in the eyes of his friends, colleagues and relatives also.
- 16) That the applicant is neither hardened criminals nor absconder and is permanent residents of Karachi, hence there is no probability of the applicant to being absconder, or to exercise from the commission of crime.
- 17) That there is no chance of the applicant to temper with the witnesses.
- 18) That the applicant craves leave to add further grounds at the time of hearing of this pre arrest bail application.
- 19) That the applicant is ready to furnish the solvent surety for the satisfaction of this Hon'ble Court.

**PRAYER**

In the light of above facts and grounds it is respectfully prayed that this Hon'ble Court may be pleased to grant bail before arrest to the applicant, in the larger interest of justice.

Karachi:

Dated: -01-2024

Advocate for the Applicant

For immediate use in Court  
IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI SOUTH

B.B.A. Appl. No. / 2024

Mr. JK S/o  
Mr. KUR

Applicant / Accused

VERSUS

The State Respondent.

**AFFIDAVIT**

I, JK S/o Mr. KUR, Muslim, adult, Resident of Islamabad, Presently at Karachi do hereby state on Oath as under:-

1. That I am the applicant/accused in the above matter as such am fully conversant with the facts of the case.
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduce in this affidavit.
3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely

registered only to insult me through the hands of the police in collusion with the complainant.

4. That due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police is continuously raiding the residence of the applicant as well as the relatives of the applicant and there is imminent apprehension about the arrest of the applicant in this false case and police is dancing at the fingers of complainant and if the applicant will be arrested in this false case that would adversely affect my honour, dignity and reputation as well as causing irreparable loss to me.
5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: DEPONENT

**IN THE COURT OF DISTRICT & SESSION JUDGE WEST AT KARACHI.**

B.A. No. / 2024

AQ son of MJ,  
Muslim, Adult, Presently confined  
in Judicial Custody-----Applicant / Accused

VERSUS

The State -----

Respondent

## **BAIL APPLICATION U/S 497 Cr.P.C.**

It is prayed on behalf of the abovenamed applicant / accused that this Hon'ble Court may be pleased to enlarge the applicant / accused on bail on the consideration of the following facts and grounds:-

### **BRIEF FACTS**

Brief facts of the prosecution story narrated by the complainant that I SI posted at Police Station, Karachi, along with employees PC, PC, PC , via Mobile Official No., for the purpose of stoppage of Crime were was busy patrolling in the area, during patrolling, we reached at address mentioned in column No.2 above, at about 1145 hours, and one person caring black plastic bags in right hand was found standing in suspicious condition, who was stopped for the purpose of checking and was caught with the help of accompanying personnel, who upon inquiry on his own told his name AQ son of MJ. Who was thoroughly searched in presence of accomplish employees PC, PC by nominating them witnesses, due to non-cooperation/ refusal by private witnesses and opened the black shopping bag carried in his right hand, from which 40 packets of Health injurious Mawa was recovered, which was weighted through digital scale and having weight of 2 KG and 70 grams which was taken into police custody and was sealed at the spot, 5 packets were separately sealed for the purpose to send them for

chemical examination. The act of the accused person above named reached under Section 4/8 of Gutka Mawa Act 2019 after understanding, he was arrested as per procedure who was further searched and found Rs.120 cash and after returning to police station, the case against the above said said arrested accused was registered. Investigation shall be carried out by SIO Sahab of instant police station. Copy of FIR shall be distributed as per procedure, hence this bail application on the following grounds:

### **GROUND**

1. That the applicant / accused is quite innocent and falsely implicated in this case due to enmity, though he has no concern in the said offense.
2. That the police was motivated by malice and spit to entangle the accused of the said case when he failed to fulfill the illegal demands of police.
3. That the alleged offence is bailable and the maximum punishment of Section 8 of Gutka Act is not less than one year or fine Rs.2,00,000/- and the same is also bailable, hence the alleged offences does not falls within prohibitory clause of Section 497 Cr.P.C.
4. That the law prescribed that bail is better than Jail hence the accused is entitled for bail, as the offence was earlier bailable.

5. That the complainant falsely implicated to the applicant / accused by refusing illegal gratification by him to the complainant.
6. That there is no any reasonable ground in which applicant / accused has committed any offence whatsoever as alleged by the prosecution.
7. That there is no recovery from the possession of applicant / accused and the alleged recovery had been foisted upon the applicant / accused.
8. That the applicant / accused is neither previous convicted nor involved in any dangerous, disparate or hardened in criminal activities.
9. That the punishment of the offence is only one year and same is falls in the category of minor offences and does not fall within the prohibitory clause of section 497 Cr.P.C.
10. That the accused is permanent residing of Karachi and law abiding citizen of Pakistan as such he would neither abscond nor would temper with the PWs.
11. That the applicant / accused is ready to furnish solvent surety according to the satisfaction of this Hon'ble Court.
12. That the applicant/accused is labourer and is only the bread earner of his family and in case he is kept behind the bar, his family members shall suffer a lot in such era of high inflation.

13. That the further grounds would be urged at the time of hearing of this bail application with permission of this Hon'ble Court.

**PRAYER**

It is, therefore respectfully prayed on behalf of the abovenamed accused that this Hon'ble Court may graciously be pleased to enlarge him on bail, on the consideration of foregoing facts and grounds, in the best interest of justice.

Karachi:

Dated: Advocate for the Applicant / Accused

**IN THE COURT OF DISTRICT AND SESSION JUDGE, CENTRAL AT  
KARACHI.**

Cr. Bail Before Arrest Appl. No. / 2023

AL S/o LL

Muslim, Adult, R/o

Karachi

Applicant / Accused

VERSUS

The State ----- Respondent.

**APPLICATION FOR BAIL BEFORE ARREST**  
**U/S 498 Cr.P.C.**

It is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to enlarge him on bail before arrest, on the consideration of following facts and grounds:

### **FACTS**

Brief facts of the case narrated by the complainant are that ASI was busy in the secret room of the officer, and the officer who came,MFD , filed a Order No. of ADJ Central Karachi, and ordered the imposition, after which permission was given by SHO Sir. The above statement was recorded under section 154 of the above, the copy of which is given below by KAN reporting room dated. I, MFD son of MN aged 55 years,, Later on inquiry stated that he has been residing at the above address for 12 years and is related to journalism. , I sold myCar, model 2011, Registration No. to a person named EL son of L LL for Rs.1450000/- . EL promised to pay the amount within one and half month and as a surety he gave me Car, Black for using and also told me that I need four lakh rupees as loan and will give it to me within a week he took four lakh rupees as loan and after three months from me He back took the car and said that he will give you another car and later he did not give the money which was 18 lakhs and 50 thousand. On my demand, he tolerated on one pretext or the other. After four months, he told renown NKAHSQ, that he gave him 8 lakh rupees and the remaining one million and 50 thousand was left. After a few days, he told me to go to the showroom

and give him one lakh rupees to HKU. He will get you a good car. So far, he has not given me the car or my money, which is a total 13 lakhs and twenty thousand Rupees and now he is threatening to kill me. Later, Mr. 1- ADJ, I filed a petition No. In Court. Now I have come with court order and gave my statement that my claim is against AL fraudulently bought my car above number from me and threatened to kill me for paying the money. I hereby declare that all these transactions have taken place at my house. Take legal action against him.

According to the contents of FIR, the offence against the accused falls U/s 406, PPC, hence this bail before arrest application on the following grounds:

### **GROUND**

1. That the applicant is innocent and falsely implicated in this case with malafide intention and ulterior motives, as he did not commit any offence.
2. That neither the name of applicant mentioned in the FIR, nor his specific role has been assigned by the complainant, which creates doubts and case needs further inquiry.
3. That all the allegations against the applicant are false and fabricated and the complainant falsely implicated just for the purpose of blackmailing.

4. That there is inordinate and unexplained huge delay of about 06 years, but complainant failed to give any reason of such delay, which creates doubts, hence case need further inquiry.
5. That according to the contents of FIR the offence U/s 406 PPC cannot be constituted against the applicant.
6. That offence above mentioned does not fall under the prohibitory clause of Section 497 Cr.P.C. and bail in such cases shall be granted as a rule.
7. That due to abovesaid reasons the case is fit for further inquiry and the applicant is entitled for bail before arrest.
8. That the applicant is neither hardened criminal nor absconder and permanent resident of Karachi, hence there is no probability of the accused of being absconder, or to exercise of commission of crime.
9. That the **Illaqa** police is raiding at the house of applicant repeatedly in order to arrest him falsely in this case he will arrested, he will be humiliated, tortured and disgraced by the police and their respect in the society will be lowered.
10. That the involvement of the applicant in this case damage his reputation into the eyes of his relatives and locality.

11. That there is no chance of the applicant to temper with the witnesses.
12. That the applicant craves leave to add further grounds at the time of hearing of this pre arrest bail application.
13. That the applicant is ready to furnish the solvent surety for the satisfaction of this Hon'ble Court.

**PRAYER**

In the light of above facts and grounds it is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to grant bail before arrest to the applicant, on the consideration of foregoing facts and grounds, in the larger interest of justice.

Karachi:

Dated:                   **Advocate for the Applicant**

**IN THE COURT OF DISTRICT AND SESSION JUDGE, CENTRAL AT  
KARACHI.**

Cr. Bail Before Arrest Appl. No.                   / 2023

AL S/o LL

Applicant / Accused

VERSUS

The State -----Respondent.

FIR No. 285 / 2022  
U/s 406 PPC  
Karachi

## AFFIDAVIT

I, AL S/o LL, Muslim, Adult, R/o Karachi do hereby state on Oath as under:-

1. That I am the applicant in the above matter as such am fully conversant with the facts of the case.
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same has not been reproduce in this affidavit.
3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult the applicants through the hands of the police in collusion with the complainant and there is no bar to grant bail in the alike cases.
4. That I say that due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police is continuously raiding at our houses and there is imminent apprehension about our arrest in this false case and police is dancing at the fingers of complainant and if we will be arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.

5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: D E P O N E N T

**IN THE COURT OF DISTRICT & SESSION JUDGE, CENTRAL AT KARACHI.**

Criminal Bail application No. of 2023

AM S/o MK,  
Muslim, Adult, Resident of  
Karachi, presently confined  
in Central Prison -----Applicant/Accused

**VERSUS**

The State-----Respondent

**BAIL APPLICATION U/S 497.Cr.P.C**

Being aggrieved and dissatisfied with the impugned order dated 2023, passed by the VI-th Judicial Magistrate Central at Karachi, wherein rejected the bail application of the applicant / accused abovenamed, it is respectfully prayed on behalf of the applicant / accused abovenamed that this Honorable Court may graciously be pleased to enlarge him on bail on consideration of the following facts and grounds.

## **FACTS**

Brief facts of the prosecution case are that complainant UZ Khan son of MUK lodged the FIR on 2023 against the accused AM son of MK and stated therein that orally stated by the complainant, I am residing at the above cited address and used to supply cement under the name of Cement. I used to supply cement to M/s (1) SH son of MI, (2) AM, (3) AR. The said persons were in debt of my amount against the said amount, (1) Mr SH was in debt of Rupees one lac fifty thousand and he gave me one Cheque No., for an amount of Rupees Sixty Four thousand only of Bank. (2) Mr AM against Rs. Seven lacs and fifty thousand, he gave me a cheque No. for an amount of Rs. Six lacs and fifty thousand only of Bank Askari. (3) AR was in debt of Rs. twenty lacs and thirty four thousand, who gave me a cheque No. for an amount of Rs. One lac and twenty five thousand of Bank , I have deposited all the above three cheques in my two bank accounts (1) In Account No deposited the cheque of AM , whereas remaining two cheques of SH and AR in UZ Account No. which were bounced on 2023, 2023 due to insufficient fund in account , thereafter I sent legal notice through my counsel but the above said persons threatened me for dire consequences , therefore I have come to report. My claim is against the above said three persons for bouncing of above cheques, action may be taken.

That prior to this a bail application was moved before the trial Court, but the learned Judge did not use his judicial mind while passing order and reject the bail application on the Applicant Accused, hence this bail application on the following fresh grounds: -

## **GROUND**

1. That the applicant / accused is innocent and has been falsely implicated in this case.
2. That the accused / applicant and the complainant were busy in joint business and the accused/ applicant has already cleared all the outstanding amount claimed by the complainant, whereas the said cheque was only issued as a surety to continue the business relations with the complainant. The applicant/ accused is possession of all valid proof for payment of outstanding amount and the same would be produced during the trial proceedings.
3. That there is an inordinate delay in lodging FIR more than 15 days, but the complainant failed to explain such delay, which creates doubts and case need further inquiry.
4. That the alleged offence does not fall within the prohibitory clause of 497(1) of Cr. P.C.
5. That the applicant / accused has already been remanded to judicial custody and he is no more required for further investigation.
6. That the case of the prosecution against the applicant/accused is false, fabricated, doubtful and one of further inquiry.

7. That the applicant is neither previous convict nor disparate and hardened, dangerous criminal but has been detained with the criminals, which shall ruin the behaviour and future of the applicant/accused.
8. That the applicant/accused is permanent resident of Karachi and there is no likelihood of his absconce or tampering with the prosecution witness.
9. That the applicant is ready to furnish solvent surety to the entire satisfaction of this Honorable Court, if he is released on bail.
10. That any other grounds will be urged raised at the time of hearing of this bail application with the kind permission of this Honorable court.

KARACHI:

DATED :

ADVOCATE FOR THE  
APPLICANT/ACCUSED

**IN THE COURT OF**

**CIVIL JUDGE / J.M., SOUTH AT KARACHI.**

Criminal Bail application No.

of 2023

MAD

Son of AH, Muslim, Adult, Resident of  
Karachi, presently confined  
Judicial Custody

Applicant/Accused

**VERSUS**

The State

Respondent

**BAIL APPLICATION U/S 497.Cr.P.C**

It is respectfully prayed on behalf of the applicant / accused abovenamed that this Honorable Court may graciously be pleased to enlarge him on bail on consideration of the following facts and grounds.

**FACTS**

That the brief facts of the prosecution case as narrated in the FIR are that the complainant verbally stated that I am residing at above given address in column No.2 and doing business of clothes i.e. lunda cloths with my partner Rizwan S/o Rasheed Gul and my Godown and office of rent is situated at Shershah, I and my partner is doing business of clothes since long time and MAD used to order from out of country on our money and my partner MAD is doing business since long time, and Sohail who is the partner of Danish used to clear the containers for us and I.D of import & export is in the name of MAD, given amount in different time through cheque, cash and online transaction to MAD as advance which total comes Rupees 02 Crores 34 Lac. MAD after receiving our amount not bringing the containers and which containers were arrived he personally sold out the same. On 25- February when we proceeded to accounting with MAD in the presence of witnesses on which they prepared a written agreement for return of our amount and

given 09 cheques and further handed over some documents of property as surety. One friend of MAD took the surety of his partner Sohail in respect of clearing the amount. I deposited three cheques from said 09 cheques given by MAD on above named dates which were bounced vide cheque No.(1) 47560329, (2) 47560328, and (3) 47560330, amounting to Rupees 25 Lac each, hence my claim is against (1) MAD S/o AH and his partner (2) SA S/o Not Known, (4) MM S/o MP, (5) SK S/o AK for making fraud with and issuing fake cheques, legal action may be taken.

**(Photocopy of FIR is attached herewith and marked as Annexure A/ )**

According to the facts of the complainant, the offense against the accused falls under U/s 489-F PPC.

Previously the applicant above named filed first bail application before XIITH civil Judge & Judicial Magistrate Karachi south vide Criminal Case No. Nil of 2022, which was dismissed vide order dated 2022, thereafter the applicant above named filed second bail before IIInd ADJ South at Karachi, which was also dismissed vide order dated 2023, hence this third bail application on the following grounds: -

**GROUNDS**

1. That the applicant is absolutely innocent and has been falsely implicated in this case.
2. That the accused and the complainant along with other are co-partner in the business and the accused being importer used to import his material / clothing etc and has been doing business with the complainant since long and he has never defaulted in payment and some materials was stuck due to lockdown and later on the same was cleared by the accused and no amount was outstanding against him as alleged in the FIR.
3. That as per agreement dated 2022, the complainant claimed an amount against the accused / applicant which was given to him in lieu of containers to be released from other countries but the said containers could not be released , the detail of the containers is also given in the agreement dated 22. It is further submitted that the complainant himself admitted in the agreement that the said **cheques were not issued against the liabilities but the same were issued as surety as admitted by the complainant and upon release of containers the amount would be adjusted and the cheques were returned.**

**(Copy of the agreement is attached herewith and marked as annexure C)**

4. That this Honorable Court has no power and authority to call the report of the said containers and further the payment is to be adjusted against the release of the containers as clearly mentioned in the above agreement for which the applicant had been trying and unless he is not released on bail the said process could not be completed.
5. That the said cheques were not issued against liabilities but the same were issued as surety as per admission of the complainant in written agreement and affidavit of acknowledgement of liabilities. It is further submitted that a Bond for acknowledgment of responsibilities were executed between the parties, wherein the same contents were reproduced along with others. As per contents of para 5 of the said bond the complainant is himself not sure about the liabilities / amount mentioned in the said bond. Further he has also failed to bring on record the proof of said payments to the accused/applicant.
6. That the accused/ applicant has handed over two plots of Society , which was also sold out by the complainant but could not give the details of amounts, further the accused / applicant is ignorant of English Language , and the same narration has been mentioned upon the said bond dated 2022.

7. That it is further mentioned in para 9 of said bond that the accused/ applicant after release from bail he would work with complainant as his agent and will supply the containers to him after deducting his percentage , which clearly shows that the complainant is still ready to work with him and he has filed this false case against him just to pressurize, blackmail the applicant/accused to work with him, which is illegal and unlawful.
8. That in para 11 of the bond, it is mentioned that it is agreed that if he betrayed or not fulfill any of the above mentioned conditions in this Bond, the complainant reserved legal right to move against me for cancellation of his bail , before the competent court of law, which contents also shows malice of the complainant to entangled him in false case and to use him for his own cause.
9. That the above said bond was got signed by the accused/ applicant when he was in jail and has included the said terms and conditions for his own benefits and further no liabilities of cheques has been mentioned that the said cheques has been issued against any liabilities and he can encashed them , rather against liabilities in para 6 of the bond, it has clearly been mentioned as under: -

**“That after release on bail, I am liable to inquire about the containers on the way to shipment in Karachi from different shippers. I will also provide the details of the containers for the complainant when we will sit for the settlement of the amount on 2022, that whatever the numbers of containers I found, are liable to be cleared and handed over to the complainant. It is also pertinent to mention that the amount for purchasing, clearing and duty has already been paid to me and such amount would be deducted from the principle due amount when I deliver the containers to the complainant.”**

10. That from the perusal of above contents it can clearly be assumed that no case for bounce of cheques is made out against the accused/ applicant as the said cheques have never been issued against liabilities rather the same were issued as surety as per complainant and the dispute between the parties is regarding the release of containers for which this Honorable Court has no power / or authority to inquire about the said containers in this case and the case against the applicant/ accused is based on false grounds and as such he is entitled for concession of bail and in case he is kept behind the bar will serve no purpose and furthermore delay would be occurred in releasing the above containers from the ports as admitted by the accused/ applicant as well as by the complainant.

11. That the applicant/accused was kidnapped by the complainant and the above said cheques were obtained through force and agreement was also signed under duress, pressure and in this regard, the accused/ applicant lodged FIR against the complainant.

**(Copy of FIR is filed herewith and marked as annexure E )**

12. That challan has already been submitted and as per the contents of the challan no case is made out against the accused / applicant and as such the accused /applicant is entitled for concession of bail and keeping him behind the bar shall serve no purpose as he is the only bread earner of the family and they are facing hardship due to his arrest.
13. That previously the accused / applicant was granted pre-arrest bail in the above case / FIR vide order dated 2023 and after obtaining the bail, / joining the trial he was appearing before this Honorable Court in the above case regularly.
14. That due to settlement of dispute between the parties as mentioned above and after clearing of containers of the complainant party which were stuck at port the matter was amicably resolved and the complainant assured the accused / applicant that he may be discharged from the above case as such

he on their assurance did not pursue the above case and matter has become dormant and later the accused/ applicant has been arrested in the above case.

15. That the complainant has committed cheating and fraud with the applicant/accused and despite clear assurance of withdrawal of the above case, he failed to do so and booked the accused /applicant in the above case even after settlement of accounts between the accused/ applicant and the complainant.
16. That the applicant / accused already settled the matter by releasing the containers of the complainant and has settled the accounts of complainant and the cheques in question given by the accused as security deposit, which complainant due to malafide intentions and ulterior motives used in the instant case, as no such amount payable by the applicant / accused to the complainant.
17. That the cheques in question are very old, more than one year and a month but the complainant lodged the FIR only to disgrace and humiliate the accused in the eyes of his colleagues, relatives and neighbors in order to damage the reputation of the accused.

18. That the disputed amount had already been paid / settled by the accused to the complainant but now the complainant became dishonest and wants to extort money on the basis of above said cheques.
19. That there is inordinate delay in lodging FIR near about more than one but complainant failed to explain such delay, which creates doubts and case need further inquiry.
20. That the alleged offense does not fall within the prohibitory clause of 497(1) of Cr. P.C.
21. That dishonesty is the main ingredient of Section 489-F PPC, which is not proved by the complainant in his case.
22. That the applicant/accused has already been remanded to judicial custody and he is no more required for further investigation.
23. That the case of the prosecution against the applicant/accused is false, fabricated, doubtful and one of further inquiry.
24. That the applicant is neither previous convict nor disparate and hardened, dangerous criminal but has been detained with the criminals, which shall ruin the behavior and future of the applicant/accused.

25. That the applicant/accused is a permanent resident of Karachi and there is no likelihood of his absconce or tampering with the prosecution witness.
26. That the applicant is ready to furnish solvent surety to the entire satisfaction of this Honorable Court, if he is released on bail.
27. That any other grounds will be urged raised at the time of hearing of this bail application with the kind permission of this Honorable court.

**PRAYER**

It is therefore prayed on behalf of the applicant/ accused above named that this Honorable Court may graciously be pleased to enlarge him on bail on consideration of facts and grounds mentioned hereinabove.

KARACHI:

DATE        Advocate For The Applicant/Accused

**IN THE COURT OF DISTRICT & SESSION JUDGE, WEST AT KARACHI**

Cr. B.A. No.                      / 2023

SH son of SU  
Muslim, Adult, Presently  
Confined in Judicial Custody

Applicants/Accused.

VERSUS

The State

Respondent

**BAIL APPLICATION U/S 497 Cr.P.C.**

It is most respectfully prayed on behalf of the applicant / accused abovenamed that interalia on the consideration of following facts and grounds, those / which will be argued at the time of final hearing of this application, this Hon'ble Court may graciously be pleased to enlarge him on bail:-

**FACTS.**

Brief facts of the prosecution's case as stated by the complainant GH son of AH R/o House Karachi, are as under:-

"I live at above mentioned address and have been working as a supervisor at Bank Head Office for 13 years and am working as a security guard, today on 2023 and I with my security guard Ah son of IfT towards the back walls of the bank, while patrolling, some persons broke the wall of the where house on the right side of the bank while going towards the graveyard holding a white sack were caught at about 0015 hours, these three persons were carrying sack having various types of scraps of AC were recovered from them. Before this, many thefts were made from the where house of the bank. The three persons have

disclosed their name names, 1.UM son of AM, 2. NM son of SF 3. AR, son of RS, now I, along with my partner and the three accused persons who were arrested, have come along with stolen property for legal action. My claim is that legal action should be taken against the arrested three accused for stealing the above things from the where house of bank hence this bail application on the following grounds;

**GROUND:**

1. That the applicant / accused are quite innocent, he has committed no offence, but has been falsely and malafidely implicated in the above case by the complainant in collusion with the police due to enmity.
2. That the applicant / accused and the complainant are neighbors and admittedly there are some disputes between them and the instant false case is an outcome of those disputes.
3. That admittedly in view of contents of the FIR, the case if any requires further inquiry and under such circumstances the applicant / accused is entitled for concession of bail.
4. That the investigation of the case has been completed, the applicant / accused has been remanded to judicial custody and he is no more required for investigation purposes.

5. That it is a fresh case, proceedings of the case are bound to be protracted, while the applicant / accused is behind the bars, therefore under such circumstances the applicant / accused prays for concession of bail.
6. That no actual case punishable with death, life imprisonment or ten years imprisonment is disclosed.
7. That there are much more lacunas in the story / case of the prosecution, which make the same very much doubtful, hence the case requires further inquiry within the meaning of sub-section 1 of section 497 Cr.P.C. and under such circumstances the applicant / accused is entitled for the concession of bail.
8. That the applicant / accused is not previously convicted in any offence.
9. That the applicant/accused is very poor person and is only bread earner of his family and keeping him behind the bar for inordinate time will serve no purpose and on the contrary the applicant / accused and his family shall suffer a lot.
10. That grant of bail in such cases is a rule and its refusal is an exception.
11. That the applicant / accused is resident of Karachi and there is not likelihood of his absconderce.

12. That the applicant / accused is ready to furnish solvent surety to the entire satisfaction of this Hon'ble Court.
13. That the applicant / accused is neither hardened desperate or habitual criminal nor involved in any other case and his whole previous record is stainless.
14. That further grounds shall be argued at the time of final hearing of this bail application with the kind permission of this Hon'ble Court.

Karachi:

Advocate for the Applicant / Accused

**IN THE COURT OF DISTRICT & SESSIONS JUDGE AT KARACHI  
EAST**

Bail Appl. No. / 2023

Mst SH Widow of  
SSA, Muslim, adult,  
resident of Flat No. 17/4 Block-B,  
Gulshan-e-Noor, Sector No.22,  
KDA Scheme No.33, SUPARCO Road,  
Karachi

Applicant / Accused

VERSUS

The State

Respondent

**BAIL APPLICATION U/S 498 CR.PC.**

It is respectfully prayed on behalf of the abovenamed applicant / accused that this Hon'ble Court may graciously be pleased to grant her bail before arrest, on the consideration of following facts and grounds, amongst others those will argued with the leave of the Court at the time of final hearing of this bail application:

### **FACTS**

Brief facts of the prosecution story orally narrated by the complainant namely SUD Karachi are that 'I am residing at above mentioned address in Column No.2, and doing business of ladies Shoes and after making shoes used to sell them in different parts and markets. That our factory has supplied the materials to Mst SH wife of SSA during last four years in different times after taking from different places and total amount against company become Rs.55 lacs. , out of which they paid Rs.5 lacs, and against remaining amount of Rs.50 lacs, they issued a cheque No, dated 2023, of her company abc Account at Bank 3 and when I presented the said cheque in my bank account at Bank on 08-2023, wherein Bank2 and Bank1 told that there is no amount in the said account and the said cheque is bounced. The said cheque was given by Mst SH wife of Sajjad. , now I have come to report against her against bounce cheque that my claim is against Mst SH wife of SSA for giving bounce cheque, against which I have given application.

Report is seemed to be correct, which was reduced into writing, she tolerated on one pretext or the other, my amount may be retrieved from her. According to the report of the complainant, the offence against the accused abovenamed falls U/s 489-F, hence this bail application on the following grounds:

### **GROUNDS**

1. That the applicant / accused is law abiding, peaceful and respectable noble citizen of Islamic Republic of Pakistan and she is having good reputation in the business community, therefore she is innocent and falsely implicated by the Complainant with malafide intentions and for fulfillment of his ulterior motives.
2. That the bouncing cheque is not in the name of applicant, therefore no case U/s 489-F PPC made out against the applicant, moreover the said cheque was not issued by the accused/ applicant to the complainant whereas he has misused the said cheque against her to illegally and unlawfully involve her in the above false case.
3. That the complainant himself admitted in the FIR, that the applicant given amount of the outstanding dues / payment, therefore no ingredient of dishonesty occurs, which is essence of Section 48F-F PPC.

4. That there is a un-explained delay of more than 3 months in lodging FIR by the complainant, which creates doubts and case need further inquiry.
5. That applicant returned the entire amount to the complainant, but complainant malafidely and due to ulterior motives just to blackmail and harass the applicant involved him in this false case.
6. That complainant lodge the instant case against the applicant / accused only to damage her reputation into the business community and to make her insult, which is also evident by the fact that the applicant/ accused has already filed an application under section 22-A Cr.P.C. being Cr.Misc. Application No. /2023 which was dismissed, wherein she narrated all the true and correct facts regarding his illegal and unlawful act of harassing, blackmailing and threatening and interfering in smooth running of the business.

**(Copies of Application and Order passed thereupon are filed herewith and marked as annexure A/1 to A/ )**

7. That the accused/ applicant has already filed an application being Cr.Misc. App. No. against the applicant /accused for registration of FIR against the said cheque but the Honorable Court was pleased to dismiss the same as he failed to satisfy the Honorable Court regarding issuance of cheque, **it is pertinent to mention that in the said application he stated that the said**

**cheque was issued by the accused/ applicant against borrowed amount , whereas in instant FIR he has stated that the said cheque was issued against selling of shoes to the applicant /accused, which contradiction in his statement clearly overt his malafide intentions and ulterior motives, whereas on the contrary the said cheque was never issued by the applicant/ accused to him and the said cheque has been misused by him against her.**

**(Copies of Application and Order passed thereupon are filed herewith and marked as annexure A/ to A/ )**

8. That it is humbly submitted that thereafter he after greasing the palm / giving bribery to the police official has succeeded to get register the above FIR against the applicant/accused and the police is continuously raising at her business premises.
9. That soon after the registration of the case, the area police hunting the applicant and in that regarding raiding at the house of applicant as well as houses of his relatives, therefore the applicant is apprehending to be arrested, through the hands of police malafidely and in collusion with the complainant.
10. That if the applicant / accused abovenamed is arrested, she will be humiliated and subjected to be maltreated, which will caused the damages to

her reputation status and dignity in the eyes of her friends, colleagues, relatives and general public also.

11. That the applicant is neither hardened criminal nor absconder and permanent resident of Karachi hence there is no probability of the accused of being absconder, or to exercise of commission of crime.
12. That there is no chance of the applicant to temper with the witnesses.
13. That the applicant crave leave to add further grounds at the time of hearing of this pre arrest bail application.
14. That the applicant is ready to furnish the solvent surety for the satisfaction of this Hon'ble Court.

#### **PRAYER**

In the light of above facts and grounds it is respectfully prayed that this Hon'ble Court may graciously be pleased to grant bail before arrest to the applicant / accused, in the larger interest of justice.

Karachi:

Dated: **Advocate for the Applicant**



**IN THE COURT OF DISTRICT & SESSIONS JUDGE AT KARACHI  
EAST**

Bail Appl. No. / 2023

## VERSUS

## **AFFIDAVIT**

I, Mst SH Widow of SSA, Muslim, adult, resident of Flat No. , Karachi, do hereby state on Oath as under:-

1. That I am the applicant in the above matter as such am fully conversant with the facts of the case.
  2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduce in this affidavit.
  3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult the applicant through the hands of the police in collusion with the complainant and there is no bar to grant bail in the alike cases.

4. That I say that due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police is continuously raiding my residence / business places as well as the residence of my relatives and there is imminent apprehension about my arrest in this false case and police is dancing at the fingers of complainant and if I will be arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.
5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: D E P O N E T

**IN THE COURT OF DISTRICT & SESSIONS JUDGE AT KARACHI  
EAST**

Bail Appl. No. / 2023

Mst SH Widow of  
SSA, Muslim, adult,  
resident of Flat No. 17/4 Block-B,  
Gulshan-e-Noor, Sector No.22,  
KDA Scheme No.33, SUPARCO Road,  
Karachi

Applicant / Accused

VERSUS

The State

Respondent

**BAIL APPLICATION U/S 498 CR.PC.**

It is respectfully prayed on behalf of the abovenamed applicant / accused that this Hon'ble Court may graciously be pleased to grant her bail before arrest, on the consideration of following facts and grounds, amongst others those will be argued with the leave of the Court at the time of final hearing of this bail application:

**FACTS**

Brief facts of the prosecution story orally narrated by the complainant namely SUD Karachi are that 'I am residing at above mentioned address in Column No.2, and doing business of ladies Shoes and after making shoes used to sell them in different parts and markets. That our factory has supplied the materials to Mst SH wife of SSA during last four years in different times after taking from different places and total amount against company become Rs.55 lacs. , out of which they paid Rs.5 lacs, and against remaining amount of Rs.50 lacs, they issued a cheque No, dated 2023, of her company abc Account at Bank 3 and when I presented the said cheque in my bank account at Bank on 08-2023, wherein Bank2 and Bank1 told that there is no amount in the said account and the said

cheque is bounced. The said cheque was given by Mst SH wife of Sajjad. , now I have come to report against her against bounce cheque that my claim is against Mst SH wife of SSA for giving bounce cheque, against which I have given application. Report is seemed to be correct, which was reduced into writing, she tolerated on one pretext or the other, my amount may be retrieved from her. According to the report of the complainant, the offence against the accused abovenamed falls U/s 489-F, hence this bail application on the following grounds:

### **GROUNDS**

1. That the applicant / accused is law abiding, peaceful and respectable noble citizen of Islamic Republic of Pakistan and she is having good reputation in the business community, therefore she is innocent and falsely implicated by the Complainant with malafide intentions and for fulfillment of his ulterior motives.
  
2. That the bouncing cheque is not in the name of applicant, therefore no case U/s 489-F PPC made out against the applicant, moreover the said cheque was not issued by the accused/ applicant to the complainant whereas he has misused the said cheque against her to illegally and unlawfully involve her in the above false case.

3. That the complainant himself admitted in the FIR, that the applicant given amount of the outstanding dues / payment, therefore no ingredient of dishonesty occurs, which is essence of Section 48F-F PPC.
4. That there is a un-explained delay of more than 3 months in lodging FIR by the complainant, which creates doubts and case need further inquiry.
5. That applicant returned the entire amount to the complainant, but complainant malafidely and due to ulterior motives just to blackmail and harass the applicant involved him in this false case.
6. That complainant lodge the instant case against the applicant / accused only to damage her reputation into the business community and to make her insult, which is also evident by the fact that the applicant/ accused has already filed an application under section 22-A Cr.P.C. being Cr.Misc. Application No. /2023 which was dismissed, wherein she narrated all the true and correct facts regarding his illegal and unlawful act of harassing, blackmailing and threatening and interfering in smooth running of the business.

**(Copies of Application and Order passed thereupon are filed herewith and marked as annexure A/1 to A/ )**

7. That the accused/ applicant has already filed an application being Cr.Misc. App. No. against the applicant /accused for registration of FIR against the said cheque but the Honorable Court was pleased to dismiss the same as he failed to satisfy the Honorable Court regarding issuance of cheque, **it is pertinent to mention that in the said application he stated that the said cheque was issued by the accused/ applicant against borrowed amount , whereas in instant FIR he has stated that the said cheque was issued against selling of shoes to the applicant /accused**, which contradiction in his statement clearly overt his malafide intentions and ulterior motives, whereas on the contrary the said cheque was never issued by the applicant/ accused to him and the said cheque has been misused by him against her.

**(Copies of Application and Order passed thereupon are filed herewith and marked as annexure A/ to A/ )**

8. That it is humbly submitted that thereafter he after greasing the palm / giving bribery to the police official has succeeded to get register the above FIR against the applicant/accused and the police is continuously raising at her business premises.
9. That soon after the registration of the case, the area police hunting the applicant and in that regarding raiding at the house of applicant as well as houses of his relatives, therefore the applicant is apprehending to be arrested,

through the hands of police malafidely and in collusion with the complainant.

10. That if the applicant / accused abovenamed is arrested, she will be humiliated and subjected to be maltreated, which will cause the damages to her reputation status and dignity in the eyes of her friends, colleagues, relatives and general public also.
11. That the applicant is neither hardened criminal nor absconder and permanent resident of Karachi hence there is no probability of the accused of being absconder, or to exercise of commission of crime.
12. That there is no chance of the applicant to temper with the witnesses.
13. That the applicant crave leave to add further grounds at the time of hearing of this pre arrest bail application.
14. That the applicant is ready to furnish the solvent surety for the satisfaction of this Hon'ble Court.

#### **PRAYER**

In the light of above facts and grounds it is respectfully prayed that this Hon'ble Court may graciously be pleased to grant bail before arrest to the applicant / accused, in the larger interest of justice.

Karachi:

Dated: **Advocate for the Applicant**

**IN THE COURT OF DISTRICT & SESSIONS JUDGE AT KARACHI  
EAST**

Bail Appl. No. / 2023

## VERSUS

## **AFFIDAVIT**

I, Mst SH Widow of SSA, Muslim, adult, resident of Flat No. , Karachi, do hereby state on Oath as under:-

1. That I am the applicant in the above matter as such am fully conversant with the facts of the case.
  2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduce in this affidavit.
  3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult the applicant through the hands of the police in collusion with the complainant and there is no bar to grant bail in the alike cases.

4. That I say that due to the reasons stated hereinabove as well as in the main application, it is submitted that Illaqa Police is continuously raiding my residence / business places as well as the residence of my relatives and there is imminent apprehension about my arrest in this false case and police is dancing at the fingers of complainant and if I will be arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.
5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: D E P O N E N T

**IN THE HIGH COURT OF SINDH AT KARACHI  
(Criminal Appellate Jurisdiction)**

Bail Application No. / 2023

AKM  
S/oAUR  
Muslim, Adult, Presently  
Confined in Judicial Custody.....Applicant / Accused

VERSUS

The State.....Respondent

FIR No. 30 / 2023  
U/S 9(1)3(c) of  
Sindh (Amend) Narcotics Act 2022  
P.S. SIU Karachi

**CERTIFICATE**

This is certify that this is second bail application being filed before this Honorable Court and no any other bail of same FIR is filed by the applicant/ accused and / or pending before any other court of law.

Karachi  
Dated \_\_\_\_ Advocate for the Applicant/ Accused

**IN THE COURT OF XII<sup>TH</sup> ADDITIONAL DISTRICT & SESSIONS JUDGE  
WEST AT KARACHI**

Cr. Case No. 232/ 2022

1. Zahid S/o Aurangzeb,  
R/o House No.A/22,  
Fareed Colony, Sector 10,  
Orangi Town, Karachi.
2. Shahnawaz S/o Muhammad  
Fayyaz, R/o 376, Sector 10,  
Fareed Colony, Orangi  
Town, Karachi.....Applicant

VERSUS

The State .....complainant/respondent

FIR No. 761/2021  
U/S: 430/14-A(i)-B KWSB  
P.S : Mominabad

**APPLICATION U/S 265-K Cr.P.C.**

It is most respectfully prayed on behalf of the accused above-named that this Hon'ble Court may be pleased to acquit the accused from the charge on the following facts and grounds:-

**BREIF FACTS**

- a) That FIR No.761/2021, U/S: 430/14-A(i)-B KWSB, P.S:  
Mominabad was lodged on dated:08.09.2021.

- b) That after completing usual investigation the IO of the case submitted final Challan and thereafter the trial connected as per law.
- c) That after submitting of Challan the matter transferred to this Hon'ble Court, thereafter the learned Hon'ble XIIth ADJ West Karachi was expired, court had been being vacant for many months, thereafter the matter was transferred on dated:12.04.2022 to I<sup>ST</sup> ADJ West Karachi.
- d) That the matter was fixing for the same purpose but no charge was farmed till January 2023 and in the meanwhile the matter was again transferred to the XIITH ADJ West Karachi then very hardly charge was farmed upon the applicant/accused above named.
- e) That after framing of charge, the prosecution has produced material PWs and now lacks interest and is lingering on the trial for the reasons that the witnesses cited in list of PWs are not coming forward for their deposition on oath and the disposal of the case does not seem in near future.
- f) That the case diary is not seem proper and counsel of accused many times requested to this Hon'ble Court that a warrant may be issued against the PWs but till date no any warrant has been issued.

g) That the accused is present on every date but no witnesses present on any date and counsel for the complainant just for marking his attendance and don't his interest as well, hence this application on the following grounds.

### **GROUND**

1. That the accused is innocent and have not committed any of offence what so ever evidently.
2. That the case was registered on 08.09.2021, the accused facing trial of this case upto now.
3. That nothing has been recovered from the possession of the accused neither at the time of incident nor at the time of arrest.
4. That the case is old one which was challaned in 25.09.2021 and during the period of 2 year the prosecution has been failed to examine witnesses.
5. That since 2022 the PWs have been called so many times by this Hon'ble Court but they are not coming forward to depose against the accused.
6. That under the circumstances of the case there is no likelihood that prosecution will ever be successful in making out the case against the applicant for his conviction, and the applicant unnecessarily dragged out by the prosecution, which will result in the miscarriage of law, justice and

abuse of process of Court and great agony and prejudice to the applicant, hence it will be in the interest of justice that applicant is acquitted from the charge.

7. That the charge has already been framed applicant and the charge is groundless and prosecution has failed to prove the guilt of the accused as such there is no probability of one accused being convicted and further delay is abuse of process.
8. That due to the reasons stated here in above accused is entitled for an order for acquittal from the above case.
9. That it is a fit case to be dealt U/s 265-K Cr.P.C. and such the applicant are liable to be acquitted in this case.
10. That the case is in hand is without solid substantial evidence, which is unlikely to be proved against the applicants / accused.
11. That there is no possibility of conviction of the accused, if the case further proceed which is amounts to abuse of the process and also harassing the applicant.
12. That further grounds shall be argued at the time of hearing of this application with the permission of this Hon'ble Court.

**PRAYER**

In view of above submissions, this Hon'ble Court may graciously be pleased to acquit the accused from the charge to meet the ends of justice.

Karachi:

Dated: 20-09 -2023

**ADVOCATE FOR THE APPLICANT/ACCUSED**

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Application No. / 2023

Jahanzeb Alam son of  
Muhammad Yousuf Alam  
Muslim, adult, resident of  
House No: S2/216 Derakhshan Society  
Kala Board Malir Karachi,

Applicant / Accused

VERSUS

The State

Respondent

FIR No. 353 / 2020  
U/s 420/489-F/34 PPC  
P.S. Gulshan-e-Iqbal.  
Karachi

**BAIL APPLICATION UNDER SECTION 498 CR.P.C.**

It is respectfully prayed that this Hon'ble Court may graciously be pleased to admit the applicant to anticipatory bail upon consideration of the following facts and grounds:-

## **FACTS**

Brief facts of the prosecution story orally stated by the complainant are I reside at the above address and carries on business with Syed Bashm Bukhari and Syed Hussain Bukhari and Jahanzeb Alam and the director of Builder Pak China Town named Danish Mushtaq son of Mushtaq Yaqoob - Syed Bashm Bukhari in association with these three. I had made a cash investment of Rs.260,000,000 from January 2018 to October 2018, which has witnesses and audio recording. Syed Bashm Bukhari, Jahanzeb Alam and Pak China Town Director Danish Mushtaq gave me some cheque and files of 7 Block A which are of Pak China Tower and some cheque for cash including (1) Cheque No. 20689347 amount of Rs.4500000/- dated 28/06/2018, Cheque No. (2) 20689348 amount of Rs.4800000/- dated 29/06/2018, Cheque No. (3) 20689349 Amount Rs.4700000/- dated 30/06/2018 Mujaria Bank Al Falah Pak China Company given by Director Danish Mushtaq And Cheque No. (4) 22089629 for amount of Rs.300000/- Majaria Dubai Islami Bank dated 24/09/2019 given by Jahanzeb Alam and Cheque No. (5) 000000065 for amount of Rs.1000000/- Majaria National Bank So I deposited in my account Online at Askari Bank Gulshan Chowrangi Branch in my account No. 000000064 and a cheque of Rs.1000000 dated 31/12/2019 Both cheques were given by Syed Bashm Bukhari who were deposited online in his account at Askari Bank University Road Branch No. 6 on different dates which bounced and returned on different dates which I told the above three, but they are being evasive, now I have come to report that legal action should be taken against

them. Hence, this application for anticipatory bail on the consideration of the following facts and grounds:-

**Copy of the FIR is attached and marked as annexure 'A' .**

### **GROUNDS**

1. That the applicant is innocent and has been falsely implicated in FIR, reflecting the name of the applicant as such the applicant have nothing to do with the Commission of offence and he had already paid the amount for which the complainant is claiming.
2. That there is no connecting evidence against the applicant with the alleged incident, hence no case is made out against the applicant.
3. That the case alleged against the applicant does not fall within the prohibitory clause of the section 497 Cr.P.C. and thus the applicant would be entitled to the grant of anticipatory bail.
4. That the FIR was lodged after the delay of more than one year and the complainant miserably failed to give any explanation of such delay, which creates doubts and case need further inquiry.

5. That complainant lodged the instant case against the applicant / accused only to damage his reputation into the business community and to make his insult /loss of reputation among general public.
6. That the applicant being a law abiding citizen is being subjected to harassment and humiliation in the eyes of the general public at large and his friends and associates alongwith his superiors in particulars.
7. That the applicant / accused has not issued any cheque to the complainant and further he has no connection of any business with the complainant and he has falsely implicated the accused/applicant in this false case with malafide intention and for fulfillment of his ulterior motives.
8. That it is in the interest of justice that a protective bail is granted to accused person and the same if granted, he will fully cooperate with the prosecution/police.
9. That the applicant is neither hardened criminal nor absconder but he is respectable citizen of Pakistan, hence there is no probability of his absconcion or tempering with the evidence.

10. That the applicant is ready and willing to furnish solvent surety to the satisfaction of this Hon'ble Court.
11. That other grounds may be urged / raised at the time of hearing of this application with the permission of this Hon'ble Court.
12. That this is the first bail application before this Hon'ble Court.

**PRAYER**

In the light of above facts and grounds, it is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to grant protective bail to him and further be pleased to suspend / cancel the warrant issued against the applicant /accused in the above case, in the interest of justice.

Prayer is made in the interest of justice .

Karachi:

Dated: -03-2023

**Advocate for the Applicant**



**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Application No. / 2023

Jahanzeb Alam

Applicant / Accused

**VERSUS**

The State

Respondent

FIR No. 353 / 2020  
U/s 420/489-F/34 PPC  
P.S. Gulshan-e-Iqbal.  
Karachi

**AFFIDAVIT**

I, Jahanzeb Alam son of Muhammad Yousuf Alam Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
  
2. That the main application for the grant of bail before arrest has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduced in this affidavit.

3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult me through the hands of the **Ilaqa** police.
4. That due to the reasons stated hereinabove as well as in the main application, it is submitted that police officials are continuously raiding at my residence as well as at the houses of my relatives and there is imminent apprehension about my arrest in this false case and police official is dancing at the fingers of complainant and if I am arrested in this false case that would adversely affect my honour, dignity and reputation causing irreparable loss to me.
5. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: -03-2023

D E P O N E T

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Application No. / 2023

Jahanzeb Alam

Applicant / Accused

VERSUS

The State

Respondent

**APPLICATION U/R 9, CHAPTER III-B, VOLUME –V  
OF HIGH COURT RULES.**

For the reasons disclosed in the accompanying affidavit, it is respectfully prayed on behalf of the abovenamed applicant that this Hon'ble Court may graciously be pleased to taken the matter on urgent motion, fixing the same on \_\_\_\_\_ in the Court or in chamber for hearing and orders.

Karachi:

Dated: -03-2023

**Advocate for the Applicant**

*For immediate use in Court on behalf of the  
applicant*

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Application No. / 2023

Jahanzeb Alam

Applicant / Accused

VERSUS

The State

Respondent

**AFFIDAVIT**

I, Jahanzeb Alam son of Muhammad Yousuf Alam Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
  
2. That the accompanying Urgent application has been drafted and filed under my specific instructions, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.
  
3. That due to the reasons stated hereinabove as well as in the main application, it is submitted that police officials are continuously raiding at my houses as well as houses of my relatives and there is imminent apprehension about my arrest in this false case.

4. That I say that unless the accompanying application is granted I shall be seriously be prejudiced and suffers irreparable losses.

Karachi:

Dated: -03-2023

D E P O N E N T

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Application No. / 2023

Jahanzeb Alam

Applicant / Accused

VERSUS

The State

Respondent

**APPLICATION UNDER SECTION 561-A Cr.P.C.**

It is respectfully prayed on behalf of abovenamed applicant that this Hon'ble Court may kindly be pleased to exempt the applicant from filing certified copies of the annexures as the same are not readily available with him and accept photocopies thereof in the interest of justice.

Prayer is made in the interest of justice.

Karachi:

Dated: -03-2023

**Advocate for the Applicant**

*For immediate use in Court on behalf of the  
applicant*

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Application No. / 2023

Jahanzeb Alam

Applicant / Accused

VERSUS

The State

Respondent

**AFFIDAVIT**

I, Jahanzeb Alam son of Muhammad Yousuf Alam Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
2. That the accompanying application under section 561-A Cr.P.C for exemption has been drafted and filed under my specific instructions, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.
3. That due to the reasons stated hereinabove as well as in the main application, it is submitted that FIA officials are continuously raiding at my house as well

as houses of my relatives and there is imminent apprehension about my arrest in this false case as such due to shortage of time, the certified copies of annexures could not be produced with the instant bail application.

4. That I say that unless the accompanying application is granted I shall be seriously be prejudiced and suffers irreparable losses.

Karachi:

Dated: -03-2023

D E P O N E N T

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Application No. / 2023

Jahanzeb Alam

Applicant / Accused

**VERSUS**

The State

Respondent

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Application alongwith  
Affidavit of Applicant
  2. Certified Copy of FIR 'A'
  3. Urgent Application A/w Affidavit.
  4. Application for Exemption A/w Affidavit
  5. Vakalatnama.
- 

Karachi:

Dated: -03-2023 Advocate for the Applicant

**IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Application No. / 2023

Jahanzeb Alam

Applicant / Accused

VERSUS

The State

Respondent

**CERTIFICATE**

This is certify that this is first bail application being filed before this Honorable Court and no any other bail of same FIR is filed by the applicant/accused and / or pending before any other court of law.

Karachi

Dated

Advocate for the Applicant/ Accused

**IN THE HIGH COURT OF SINDH AT KARACHI**

Protective Bail Application No. / 2023

Amjad Ali.....Applicant / Accused

VERSUS

The State.....Respondent

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Karachi

Dated: -09-2023

**ADVOCATE FOR THE  
APPLICANT/ACCUSED**

**IN THE HIGH COURT OF SINDH AT KARACHI**

Protective Bail Application No. / 2023

Amjad Ali son of  
 Muhammad Akbar  
 Muslim, adult, resident of  
 House No: 37-B, Street No.28,  
 Sector 32-A, Zia Colony,  
 Korangi Karachi.....Applicant / Accused

VERSUS

The State.....Respondent

FIR No. 301 / 2023  
 U/s 489-F PPC  
 P.S. City, Sargodha

**BAIL APPLICATION UNDER SECTION 498 CR.P.C.**

It is respectfully prayed that this Hon'ble Court may graciously be pleased to admit the applicant to anticipatory bail upon consideration of the following facts and grounds:-

## **FACTS**

That the complainant of the case namely Muhammad Ahsan Siddique S/o Muhammad Siddique suggested the FIR of the case U/S 489-F at P.S City Sargodha Punjab alleged there in that he was the resident of Sargodha and dealing in residential Housing Society Business at Ilama Iqbal, Lahore Road Housing Society and owner of the same society, on 02.08.2021 Amjad Ali S/o Muhammad Akbar resident of House No: 37-B, Street No.28, Sector 32-A, Zia Colony, Korangi Karachi, in presence of 2 witnesses, witness **No.1** Muhammad Hamza Siddue S/o Muhammad Siddique Resident of Block 16, Sargodha witness **No.2** Zakaullah S/o Muhammad Anwar R/o chak No 91, Janobi Sargodha, held meeting with the complainant and narrated that he had booked Plots in DHA City Karachi and was in dire need of Rupees 3 crore otherwise he would face losses of crores, and promised to return the given amount in the month of July,2022. The complainant further alleged that his relationship in the property business was developed with investor Abdul Aziz S/o Anwar Baig R/o MianWali and consequently also developed relationship with Amjad Ali for this reason. The complainant due to trust and relationing with Amjad Ali paid him cash amount of rupees 3 crore and handed over cheque number A-28487444 of Meezan Bank premier Islaamic bank DHA Phase II Ext branch Karachi on dated 04.07.2022.the complaint allegedly was got satisfied by Amjad Ali for return of the amount before the promised/settled time as such the investor of the complainant namely, Abdul Aziz

was yet to pay amount of Rupees 20 crores and the time of promised payment is near to come, as soon the said amount is returned then without any delay the accused Amjad Ali would return the rupees 3 crore to the complainant, complainant further alleged that when the time of return of the subject amount of the cheuqe was lapsed, the complainant made contact with the accused, consequently the accused made lame acuses and contact was discontinued between the two, after some days the complainant again contacted accused Amjad Ali then he replied that whenever the amount was arranged then the subject of the complainant would be returned , Amjad Ali also extended threats to the complainant for killing him and also get him missing from his home and such like threats were extended repeatedly. On 31.10.2022 the complainant deposited the issued cheque in his bank account of UBL Khushaab Road Branch Sargodha and on 01.11.2022 the said cheque was dishonored and the complainant made request after obtaining Court order from concerned ASJ and on the receiving of concerned Court order the FIR was registered against the accused accordingly.

**(Copy of FIR and its translation is annexed herewith and marked as annexure ''A and A/1'')**

- b. That the applicant/accused deals in property business and in the year 2015 met with one person namely Abdul Aziz S/o Anwar Baig and the said person informed the applicant/accused for entering into business and in this regard offered the accused to make transection in respect of immovable property **measuring 140 acres situated at City Super Highway D.H.A, Deh Beer Banda Tapo Hatal**

**Taluka P.S Bhulla Khan District Jamshoro, Sindh** against huge amounts of rupees and executed three sale agreements on different dates.

- c. That after executing of three sale agreements in respect of the above referred properties and the and the applicant/accused paid Rs.7,25,00,000/- to said person Abdul Aziz through cheques and pay orders and other mode of payments but later on the said person become dishonest and committed misappropriation pertaining to the said properties.
- d. That due to above mentioned misappropriation of Abdul Aziz the lengthy litigations took place between the applicant and the said person Abdul Aziz, the applicant/accused registered five FIRs as well as constituted two civil suits, to save the space the details of the various cases is not mentioned herein, For ready reference the photocopies of 5 FIRs and plaint of civil suit No.1731/2020, pending before this Hon'ble Court.

**(Copy of 5 FIR and plaint of the civil suit no. 1731/2020 are annexed herewith and marked as annexure ''B and B/5'').**

- e. That thereafter Abdul Aziz was arrested in the criminal cases but later on out of compromise with the applicant/accused released from the jail and later on became absconder, in this regard the warrants of arrest were issued against Abdul Aziz but he remained in different cities of Punjab province as fugitive from law and the

applicant/accused pertaining to recovery of his amounts swindled by the said fugitive person (Abdul Aziz) tried his level best and sought the help of different authorities and private persons in this regard but all in vain.

Hence, this application for anticipatory bail on the consideration of the following facts and grounds:-

### **GROUND**

1. That the applicant is innocent and has been falsely implicated in FIR, reflecting the name of the applicant as such the applicant have nothing to do with the Commission of offence.
2. That there is no connecting evidence against the applicant with the alleged incident, hence no case is made out against the applicant.
3. That the applicant/accused was trapped by the complainant and his companions who are in collusion with the police officials, the complainant and his companions pretended themselves to be helping persons pertaining to the arrest of Abdul Aziz and subsequent recovery of huge amounts, already swindled by the Abdul Aziz from the applicant/accused.

4. That the complainant party to secure their interest regarding their so called help which was pretently to be materialized in favour of the applicant/accused got blank dated cheque with such wordings on the back of the cheque ***'' yeh payment Abdul Aziz se milne per ada ki jayegi, Abdul Aziz ne 10 se 18 crore ada karna he Abdul Aziz se agar payment na mili to yeh cheque invalid hoga ''***.

5. That on presentation of the said cheque showing date 04.07.2022 was tempered and the last word of the cheque ***''invalid was tempered as valid''*** with a view to make easy bouncement process of the said cheque, hence the complainant and his accomplices has committed heinous crime and thereafter started to blackmail the complainant.

***(Photocopy of tempered cheque is annexed herewith and marked as annexure ''C and C/1'').***

6. That prior to registration of present case false FIR against the applicant/accused, the complainant party for some time sent pretending what's app massages to the

applicant/accused in lastly on 20.08.2021 excused, and stopped their task with wordings '***'Ch Sahab sory g ap apna kam kisi say krwa lain or apni amanat check kisi bi time utha lain'***'.

**(Photocopy of Screen shot of pretending what's app messages are annexed herewith and marked as annexure ''D and D/1'').**

7. That lastly besides other efforts, the applicant /accused sent complaint to DPO Sargodha Model Police Station settle lite town Punjab through courier service, the contents of complaint are self-explanatory and the concerned police to some extend processed the said complaint.

**(Photocopy of Complaint and its processed inquiry are annexed herewith and marked as annexure ''E and E/4'').**

8. That the case alleged against the applicant does not fall within the prohibitory clause of the section 497 Cr.P.C. and thus the applicant would be entitled to the grant of anticipatory bail.
9. That complainant lodged the instant case against the applicant / accused only to damage his reputation into the business community and to make his insult /loss of reputation among general public.

10. That the applicant being a law abiding citizen is being subjected to harassment and humiliation in the eyes of the general public at large and his friends and associates alongwith his superiors in particulars.
11. That the applicant / accused has not issued any cheque to the complainant and further he has no connection of any business with the complainant and he has falsely implicated the accused/applicant in this false case with malafide intention and for fulfillment of his ulterior motives.
12. That it is in the interest of justice that a protective bail is granted to accused person and the same if granted, he will fully cooperate with the prosecution/police.
13. That the applicant is neither hardened criminal nor absconder but he is respectable citizen of Pakistan, hence there is no probability of his absconsion or tempering with the evidence.
14. That the applicant is ready and willing to furnish solvent surety to the satisfaction of this Hon'ble Court.

15. That other grounds may be urged / raised at the time of hearing of this application with the permission of this Hon'ble Court.

16. That this is the first bail application before this Hon'ble Court.

**PRAYER**

In the light of above facts and grounds, it is respectfully prayed on behalf of the applicant abovenamed that this Hon'ble Court may graciously be pleased to grant protective bail to him.

Prayer is made in the interest of justice .

Karachi:

Dated: -09-2023

**Advocate for the Applicant**

# IN THE HIGH COURT OF SINDH AT KARACHI

Protective Bail Application No. / 2023

Amjad Ali.....Applicant / Accused

VERSUS

The State.....Respondent

FIR No. 301 / 2023  
U/s 489-F PPC  
P.S. City, Sargodha

## AFFIDAVIT

I, Amjad Ali son of Muhammad Akbar, Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
2. That the main application for the grant of Protective Bail has been drafted under my instructions and the same may be treated as part and parcel of this affidavit and for the sake of brevity, the same have not been reproduced in this affidavit.

3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult me through the hands of the **Ilaqa** police.
4. That I say that to mint/extort money from me due to my vulnerable conditions, erupted from the circumstances created by Abdul Aziz S/o Anwar Baig who has swindled my amounts of crores, the complainant exploited the situation and trapped me by registering FIR of the present matter.
5. That due to the reasons stated hereinabove as well as in the main application, it is submitted that I have apprehension that in case approach the concerned Court of Law or any other authority in respect of FIR No.301/2023 of P.S City, Sargodha, I shall be arrested and humiliated therefore I seek protective bail from this Hon'ble Court, so that I may be saved from injustice.
6. That whatsoever has been stated above is true and correct to the best of my knowledge as well as upon the information's of my counsel which I belief to be true.

Karachi:

Dated: -09-2023

D E P O N E T



# **IN THE HIGH COURT OF SINDH AT KARACHI**

Protective Bail Application No. / 2023

Amjad Ali.....Applicant / Accused

**VERSUS**

The State.....Respondent

FIR No. 301 / 2023  
U/s 489-F PPC  
P.S. City, Sargodha

## **APPLICATION U/R 9, CHAPTER III-B, VOLUME –V** **OF HIGH COURT RULES.**

For the reasons disclosed in the accompanying affidavit, it is respectfully prayed on behalf of the abovenamed applicant that this Hon'ble Court may graciously be pleased to taken the matter on urgent motion, fixing the same on \_\_\_\_\_ in the Court or in chamber for hearing and orders.

Karachi:

Dated: -09-2023

**Advocate for the Applicant**

*For immediate use in Court on behalf of the  
applicant*

## IN THE HIGH COURT OF SINDH AT KARACHI

Protective Bail Application No. / 2023

Amjad Ali.....Applicant / Accused

VERSUS

The State.....Respondent

### **AFFIDAVIT**

I, Amjad Ali son of Muhammad Akbar, Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
2. That the accompanying Urgent application has been drafted and filed under my specific instructions, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.

3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult me through the hands of the **Ilaqa** police.
4. That I say that to mint/extort money from me due to my vulnerable conditions, erupted from the circumstances created by Abdul Aziz S/o Anwar Baig who has swindled my amounts of crores, the complainant exploited the situation and trapped me by registering FIR of the present matter.
5. That due to the reasons stated hereinabove as well as in the main application, it is submitted that I have apprehension that in case approach the concerned Court of Law or any other authority in respect of FIR No.301/2023 of P.S City, Sargodha, I shall be arrested and humiliated therefore I seek protective bail from this Hon'ble Court, so that I may be saved from injustice.
6. That I say that unless the accompanying application is granted I shall be seriously be prejudiced and suffers irreparable losses.

Karachi:

Dated: -09-2023

D E P O N E T

# **IN THE HIGH COURT OF SINDH AT KARACHI**

Protective Bail Application No. / 2023

Amjad Ali.....Applicant / Accused

**VERSUS**

The State.....Respondent

FIR No. 301 / 2023  
U/s 489-F PPC  
P.S. City, Sargodha

## **APPLICATION UNDER SECTION 561-A Cr.P.C.**

It is respectfully prayed on behalf of abovenamed applicant that this Hon'ble Court may kindly be pleased to exempt the applicant from filing certified copies of the annexures as the same are not readily available with him and accept photocopies thereof in the interest of justice.

Prayer is made in the interest of justice.

Karachi:

Dated: -03-2023

**Advocate for the Applicant**

*For immediate use in Court on behalf of the  
applicant*

## IN THE HIGH COURT OF SINDH AT KARACHI

Protective Bail Application No. / 2023

Amjad Ali.....Applicant / Accused

VERSUS

The State.....Respondent

### **AFFIDAVIT**

I, Amjad Ali son of Muhammad Akbar, Muslim, Adult, R/o Karachi, do hereby state on Oath as under:-

1. That I am the applicant in this case as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
  
2. That the accompanying application under section 561-A Cr.P.C for exemption has been drafted and filed under my specific instructions, the contents whereof are true and correct to the best of my knowledge and may be treated as part and parcel of this affidavit.

3. That I say that from the contents of FIR and circumstances as stated above no case is made out and the said case has been malafidely registered only to insult me through the hands of the **Ilaqa** police.
4. That I say that to mint/extort money from me due to my vulnerable conditions, erupted from the circumstances created by Abdul Aziz S/o Anwar Baig who has swindled my amounts of crores, the complainant exploited the situation and trapped me by registering FIR of the present matter.
5. That due to the reasons stated hereinabove as well as in the main application, it is submitted that I have apprehension that in case approach the concerned Court of Law or any other authority in respect of FIR No.301/2023 of P.S City, Sargodha, I shall be arrested and humiliated therefore I seek protective bail from this Hon'ble Court, so that I may be saved from injustice.
6. That I say that unless the accompanying application is granted I shall be seriously be prejudiced and suffers irreparable losses.

Karachi:

Dated: -09-2023

D E P O N E N T



**IN THE HIGH COURT OF SINDH AT KARACHI**

Protective Bail Application No. / 2023

Amjad Ali.....Applicant / Accused

**VERSUS**

The State.....Respondent

FIR No. 301 / 2023  
U/s 489-F PPC  
P.S. City, Sargodha

**CERTIFICATE**

This is certify that this is first bail application being filed before this Honorable Court and no any other bail of same FIR is filed by the applicant/accused and / or pending before any other court of law.

Karachi

Dated : -09-2023 Advocate for the Applicant/ Accused

**IN THE COURT OF X<sup>th</sup> ADDITIONAL DISTRICT & SESSIONS JUDGE SOUTH**

**AT KARACH**

Cr. Case No. 897/ 2022

1. Zahidullah  
2. Husnain .....Applicant/Accused

VERSUS

The State .....Complainant

FIR No. 14/2022  
U/S: 397/34 PPC  
P.S : Sahil South

**APPLICATION U/S 265-K Cr.P.C.**

It is most respectfully prayed on behalf of the applicant/accused above-named that this Hon'ble Court may be pleased to acquit the accused from the charge on the following facts and grounds:-

**BREIF FACTS**

- a) That FIR.14/2022, U/S 397/34 PPC, P.S: Sahil (South) was lodged.
- b) That after completing usual investigation the IO of the case submitted final Challan and thereafter the trial connected as per law.

c) That after framing of charge, the prosecution has produced material PWs and now lacks interest and is lingering on the trial for the reasons that the complainant/private witness and other witnesses cited in list of PWs are not coming forward for their deposition on oath and the disposal of the case does not seem in near future, hence this application on the following grounds.

### **GROUNDS**

1. That the accused is innocent and have not committed any of offence what so ever evidently.
2. That the case was registered on \_\_\_\_\_ the accused facing trial of this case upto now.
3. That nothing has been recovered from the possession of the accused neither at the time of incident nor at the time of arrest.
4. That the case is old one which was challaned in \_\_\_\_\_ and during the period of 2 year the prosecution has been failed to examine witnesses.
5. That since 2022 the PWs have been called so many times by this Hon'ble Court but they are not coming forward to depose against the accused.
6. That under the circumstances of the case there is no likelihood that prosecution will ever be successful in making out the case against the applicant for his conviction, and the applicant unnecessarily dragged out by the prosecution, which will result in the miscarriage of law, justice and abuse of process of Court and great agony and prejudice to the applicant,

hence it will be in the interest of justice that applicant is acquitted from the charge.

7. That the charge has already been framed applicant and the charge is groundless and prosecution has failed to prove the guilt of the accused, hence there is no probability of one accused being convicted and further delay is abuse of process.
8. That due to the reasons stated here in above accused is entitled for an order for acquittal from the above case.
9. That it is a fit case to be dealt U/s 265-K Cr.P.C. and such the applicant are liable to be acquitted in this case.
10. That the case is in hand is without solid substantial evidence, which is unlikely to be proved against the applicants / accused.
11. That there are no possibility of conviction of the accused, if the case further proceed which is amounts to abuse of the process and also harassing the applicant.
12. That further grounds shall be argued at the time of hearing of this application with the permission of this Hon'ble Court.

### **PRAYER**

In view of above submissions this Hon'ble Court may graciously be pleased to acquit the accused from the charge to meet the ends of justice.

Karachi:

Dated: 04-01-2024

**ADVOCATE FOR THE APPLICANT/ACCUSED**

**IN THE COURT OF X<sup>th</sup> ADDITIONAL DISTRICT & SESSIONS JUDGE SOUTH  
AT KARACH**

Cr. Case No. 898/ 2022

Zahidullah.....Applicant/Accused

VERSUS

The State .....Complainant

FIR No. 15/2022  
U/S: 23 (i) A SAA  
P.S : Sahil South

## **APPLICATION U/S 265-K Cr.P.C.**

It is most respectfully prayed on behalf of the applicant/accused above-named that this Hon'ble Court may be pleased to acquit the accused from the charge on the following facts and grounds:-

### **BREIF FACTS**

- a) That FIR.15/2022, U/S 23(I)A SAA, P.S: Sahil (South) was lodged.
- b) That after completing usual investigation the IO of the case submitted final Challan and thereafter the trial connected as per law.
- c) That after framing of charge, the prosecution has produced material PWs and now lacks interest and is lingering on the trial for the reasons that the complainant/private witness and other witnesses cited in list of PWs are not coming forward for their deposition on oath and the disposal of the case does not seem in near future, hence this application on the following grounds.

## **GROUND**

1. That the accused is innocent and have not committed any offence what so ever evidently.
2. That the case was registered on \_\_\_\_\_ the accused facing trial of this case upto now.
3. That nothing has been recovered from the possession of the accused neither at the time of incident nor at the time of arrest.
4. That the case is old one which was challaned in \_\_\_\_\_ and during the period of 2 year the prosecution has been failed to examine witnesses.
5. That since 2022 the PWs have been called so many times by this Hon'ble Court but they are not coming forward to depose against the accused.
6. That under the circumstances of the case there is no likelihood that prosecution will ever be successful in making out the case against the applicant for his conviction, and the applicant unnecessarily dragged out by the prosecution, which will result in the miscarriage of law, justice and abuse of process of Court and great agony and prejudice to the applicant, hence it will be in the interest of justice that applicant is acquitted from the charge.
7. That the charge has already been framed applicant and the charge is groundless and prosecution has failed to prove the guilt of the accused, hence there is no probability of one accused being convicted and further delay is abuse of process.
8. That due to the reasons stated here in above accused is entitled for an order for acquittal from the above case.

9. That it is a fit case to be dealt U/s 265-K Cr.P.C. and such the applicant are liable to be acquitted in this case.
10. That the case is in hand is without solid substantial evidence, which is unlikely to be proved against the applicants / accused.
11. That there are no possibility of conviction of the accused, if the case further proceed which is amounts to abuse of the process and also harassing the applicant.
12. That further grounds shall be argued at the time of hearing of this application with the permission of this Hon'ble Court.

**PRAYER**

In view of above submissions this Hon'ble Court may graciously be pleased to acquit the accused from the charge to meet the ends of justice.

Karachi:

Dated: 04-01-2024

**ADVOCATE FOR THE APPLICANT/ACCUSED**

**IN THE COURT OF X<sup>th</sup> ADDITIONAL DISTRICT & SESSIONS JUDGE SOUTH  
AT KARACH**

Cr. Case No. 899/ 2022

Husnain .....Applicant/Accused

VERSUS

The State .....Complainant

FIR No. 16/2022  
U/S: 23 (i) A SAA  
P.S : Sahil South

**APPLICATION U/S 265-K Cr.P.C.**

It is most respectfully prayed on behalf of the applicant/accused above-named that this Hon'ble Court may be pleased to acquit the accused from the charge on the following facts and grounds:-

**BREIF FACTS**

- d) That FIR.16/2022, U/S 23(I)A SAA, P.S: Sahil (South) was lodged.
- e) That after completing usual investigation the IO of the case submitted final Challan and thereafter the trial connected as per law.
- f) That after framing of charge, the prosecution has produced material PWs and now lacks interest and is lingering on the trial for the reasons that the complainant/private witness and other witnesses cited in list of PWs are not coming forward for their deposition on oath and the disposal of the case does not seem in near future, hence this application on the following grounds.

#### **GROUNDS**

1. That the accused is innocent and have not committed any of offence what so ever evidently.
2. That the case was registered on \_\_\_\_\_ the accused facing trial of this case upto now.
3. That nothing has been recovered from the possession of the accused neither at the time of incident nor at the time of arrest.

4. That the case is old one which was challaned in \_\_\_\_\_ and during the period of 2 year the prosecution has been failed to examine witnesses.
5. That since 2022 the PWs have been called so many times by this Hon'ble Court but they are not coming forward to depose against the accused.
6. That under the circumstances of the case there is no likelihood that prosecution will ever be successful in making out the case against the applicant for his conviction, and the applicant unnecessarily dragged out by the prosecution, which will result in the miscarriage of law, justice and abuse of process of Court and great agony and prejudice to the applicant, hence it will be in the interest of justice that applicant is acquitted from the charge.
7. That the charge has already been framed applicant and the charge is groundless and prosecution has failed to prove the guilt of the accused, hence there is no probability of one accused being convicted and further delay is abuse of process.
8. That due to the reasons stated here in above accused is entitled for an order for acquittal from the above case.
9. That it is a fit case to be dealt U/s 265-K Cr.P.C. and such the applicant are liable to be acquitted in this case.
10. That the case is in hand is without solid substantial evidence, which is unlikely to be proved against the applicants / accused.
11. That there are no possibility of conviction of the accused, if the case further proceed which is amounts to abuse of the process and also harassing the applicant.

12. That further grounds shall be argued at the time of hearing of this application with the permission of this Hon'ble Court.

### **PRAYER**

In view of above submissions this Hon'ble Court may graciously be pleased to acquit the accused from the charge to meet the ends of justice.

Karachi:

Dated: 04-01-2024

**ADVOCATE FOR THE APPLICANT/ACCUSED**

### **IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI EAST**

**Cr.Misc App No.\_\_\_\_\_ /2023**

Hilal Ahmed  
S/o Afzal Ahmed, Muslim,  
adult, resident of House No. 3-U,  
Jahangir Road Near Noori Shah  
Mazar, Teen Hatti, Karachi. ----- Petitioner

### ***VERSUS***

1. **S.S.P**  
having office at  
District East, Karachi.
2. **SHO P.S AL-Falah,**  
District East, Karachi. ----- Respondents

### **PROPOSED ACCUSED**

1. **Mst. Rizwana**

D/o. Abdul Rehman,

2. **Abdul Rehman,**  
Both are Muslim,  
adult, resident of House No.  
R-56, Bagh Malir,Kala Board  
Malir, Karachi.-----Proposed accused

## **PETITION UNDER SECTION 22 A Cr.P.C.**

The applicant/petitioner above named most respectfully submits his grievance as under:

1. That the petitioner is respectable citizen of Islamic Republic of Pakistan and having good reputation among the public society.
2. That the petitioner and proposed accused No.1 were married at Karachi on 11<sup>th</sup> March 2022,out of the said wedlock one issue born baby boy “Zunair Ahmed S/o Hilal Ahmed” whose date of birth is 20-11-2022.

**(The photocopy of birth certificate of minor is attached herewith and marked as annexure “P”).**

3. That on 23.02.2023 the proposed accused No.1 got the decree of Khulla from XXIXTH Family Judge East Karachi and after getting decree, proposed accused No.1 approached the Union Committee No-01, Dist Korangi Karachi with the help of proposed accused No.2, as such she without completing the probation period of 90 days (Under Section 7 sub

section 3 of Muslim Family law ordinance, 1961), she applied within 14 days for **Divorce Registration Certificate** with her malafide intention in the concern Union Committee No.01 Dist Korangi, Karachi, which is against the law, the U.C issued a suspicious and bogus Divorce Registration Certificate to the proposed accused No.1, It is pertinent to mention herein that the proposed accused No.1 given the wrong address of petitioner in concerned U.C so that the petitioner could not come in his knowledge regarding the illegal; conduct of proposed accused No.1, therefore, the U.C without sending any notice to the petitioner, the U.C to safe their-selves and stamped in the bottom of the Divorce Certificate with wordings, “**All the provided Data/information/entry will be responsibility only on information provider**” which shows the malafide of proposed accused No.1 and 2, legal action must be taken against the proposed accused.

(The photocopy of Divorce Registration Certificate is attached herewith and marked as annexure “Q”).

4. That the proposed accused No.1 and 2 on 13.03.2023 continuously did misconduct and make prepare fake and bogus Birth registration Certificate, as such proposed accused No.1 and 2 malafidely prepare one fake and bogus birth registration certificate of minor namely **Zunair Ahmed S/o Hilal Ahmed** with a fake name; **Shaikh Rehmatullah** as such it was in her

knowledge that the birth registration certificate has already been prepared with the name of Zunair Ahmed but due to her malafide intention and ulterior motive she fraudulently/illegally prepared the fake and bogus certificate with the name of **Shaikh Rehmatullah**, as such the said birth registration certificate depicts incomplete facts and seems suspicious obviously, as such the detail of grandfather is necessary to put in BRC, in this advance era all record updates having with the authorities and departments, they can easily trace record and data, but the Union Committee No-01, Dist Korangi Karachi, did not pay their duties properly, without making inquiry, issued Birth Registration Certificate and U.C safe their-selves and stamped in the bottom of the Birth Registration Certificate with wordings, "**All the provided Data/information/entry will be responsibility only on information provider**".

(The photocopy of fake and bogus birth registration certificate is attached herewith and marked as annexure "R").

5. That on 17.03.23 the proposed accused prepared a fake and bogus B-Form of Minor by using the illegal and bogus documents (Divorce Registration Certificate and Birth Registration Certificate) with the fake name **Shaikh Rehmatullah**, however the real name of minor is **Zunair Ahmed**, the

NADRA without necessary inquiry and legal question, the NADRA prepared a fake B-Form which is illegal conduct, It is submitted that the proposed accused submitted a fake and bogus Divorce Registration Certificate with B-Form in NADRA and also given a false statement and affidavit in NADRA with her malafide intention and ulterior motives that the petitioner is not attached and not concern with the minor and she also submitted false statement in NADRA that the petitioner don't want to come in NADRA for preparing B-Form, as such the record is silent in B-Form regarding the real father of Minor namely Zunair Ahmed and NADRA did not inquire about this illegal act that who is the father of minor, and NADRA did not put the detail of petitioner.

6. That the illegal conduct of proposed accused No.1 and 2 is increasing day by day, they have changed the identity of minor as such the name and surname generate with father and khandan number is also generate with the tree of father but the proposed accused No.1 and 2 due to their malafide change the identity of minor.
7. Thereafter the petitioner approached the respondents and but up till no legal action was taken against the culprits/proposed accused No.1 and 2

as mentioned above and the police denied to receive the complaint against proposed accused No.1 and 2 then the petitioner sent the written complaint through TCS Courier to the respondent No.1 and 2.

**(The TCS Courier Receipt of the written complaints are annexed herewith and marked as Annexure “T, T/1 & T/2”).**

8. That the petitioner/applicant having no other efficacious and alternate remedy except to seek relief from this Hon'ble Court and he craves leave of this Honorable Court to urge and submit further grounds in favor of the petitioner/applicant at the time of hearing of this application.

**P R A Y E R**

The Applicant therefore prays as under:

- a) To direct the Respondent No.2 to record the statement U/S 154 Cr.P.C of petitioner and lodge the FIR against proposed accused No.1 and 2 for committing fraud, preparing illegal, unlawful certificates and also used the fake documents, given wrong information to the departments in the legal authority/Court, as such her conduct fall in 420 PPC and other section regarding fake documents, which are penal offences.

b) Any other relief which this Hon'ble Court deems fit.

**Karachi**

**Dated:05-06-2023**

**PETITIONER/APPLICANT**

**ADVOCATE                  FOR                  THE  
APPLICANT/PETITIONER**

**IN THE COURT OF DISTRICT & SESSION JUDGE AT  
KARACHI EAST**

**Cr.Misc App No. \_\_\_\_\_ /2023**

**Hilal Ahmed----- Petitioner**

*VERSUS*

1. **S.S.P**
2. **SHO P.S AL-Falah ----- Respondents**

**PROPOSED ACCUSED**

**Mst. Rizwana  
& other ----- Proposed accused**

**AFFIDAVIT**

I, **Hilal Ahmed S/o Afzal Ahmed**, Muslim, adult, resident of House No. 3-U, Jahangir Road Near Noori Shah Mazar, Teen Hatti, Karachi, do hereby state on oath as under:-

1. That I am deponent of this affidavit as well as applicant/petitioner and fully conversant with the facts.
2. That the attached application under section 22-A drafted and filed under my instruction which may be considered necessary part and parcel of this affidavit.
3. That until and unless accompanying application is granted I will be seriously prejudice and suffer irreparable losses and the end of justice also be defeated.
4. Whatever stated above is true and correct to the best of my knowledge and belief.

**KARACHI**

**DATED:05-06-2023**

**DEPONENT**

**IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI  
SOUTH**

**Cr.Misc App No.\_\_\_\_\_ /2023**

**Satesh**

S/o Ajeet Kumar, Muslim,  
adult, resident of Flat No. C-3,  
2<sup>ND</sup> Floor, Aziz Plaza, bheem  
pura, dholi market near UBL  
Bank, Karachi. -----

Petitioner

***VERSUS***

**1. S.S.P**

having office at  
District South, Karachi.

**2. SHO P.S Napier,**

District South, Karachi. ----- Respondents

**PROPOSED ACCUSED**

**1. Muhammad Ramzan**

Media Reporter,  
Cell No.0336-0211342  
Police Station  
Clifton and Darakhshan  
Karachi.

**2. ASI Saleem Brohi**

Police Station  
Drakhshan Karachi.

**3. Mazhar (Head Mohrar)**

Muslim, Adult  
adult, Police Station Freer,  
Karach.

**4. Master**

**Media Reporter**

**(so called)**

Muslim, Adult,  
Fahashi Adda at Badar  
Commercial, Karachi.

Proposed accused

## **PETITION UNDER SECTION 22 A & B Cr.P.C.**

The applicant/petitioner above named most respectfully submits his grievance as under:

1. That the petitioner is respectable citizen of Islamic Republic of Pakistan and having good reputation among the public society.
2. That the proposed accused No.1 to 4 continuously extending threat towards the petitioner since one month that they will book in FIR.
3. That the Muhammad Ramzan/proposed accused No.1 (so called media reporter) called the petitioner and extended threats towards the petitioner and demanded bribe from the petitioner that give him 1 lac rupees otherwise he will book him in false and bogus FIR.
4. That the ASI Seleem Brohi/proposed accused No.2 from P.S: Drakhshan called the petitioner and threats towards the petitioner and demanded bribe from the petitioner that give him money otherwise he will book him in false and bogus FIR. It is submitted that the proposed accused pressurized the

petitioner through what's app that his name in news paper, as such the proposed accused made the plan to take money from the petitioner.

5. That the Mazhar head mohrarr/proposed accused No.3 from P.S: freer called the petitioner and extended threats towards the petitioner and demanded bribe from the petitioner that give him 1 lac rupees otherwise he will book him in false and bogus FIR. It is submitted that the proposed accused alleged and extended threats that the petitioner sales English wine but the petitioner has no any concern with the said allegation, it is further submitted that the said proposed accused extending threats and demanding money by saying that have the CDR of petitioner that the petitioner sales English wine.
  
6. That proposed accused No.4/ Master who generated the fahashi adda at badar commercial, who called the petitioner and asked him for bribe, extended threats that he will be fit in wine case, alleged upon the petitioner that he sales English wine and sending him fake news papers and pressurizing the petitioner through phone calls.
  
7. That the proposed accused No.1 to 4 are black mailing the petitioner that the petitioner will be booked in narcotics cases if the petitioner will not give them money/bribe.

8. That thereafter the petitioner approached the respondents and but up till no legal action was taken against the culprits/proposed accused No.1 and 2 as mentioned above and the police denied to receive the complaint against proposed accused No.1 and 2 then the petitioner sent the written complaint through TCS Courier to the respondent No.1 and 2.

**(The TCS Courier Receipt of the written complaints are annexed herewith and marked as Annexure “P, P/1 to P/3”).**

9. That the petitioner/applicant having no other efficacious and alternate remedy except to seek relief from this Hon’ble Court and he craves leave of this Honorable Court to urge and submit further grounds in favor of the petitioner/applicant at the time of hearing of this application.

**P R A Y E R**

The Applicant therefore prays as under:

- a) To direct the Respondent No.2 to record the statement U/S 154 Cr.P.C of petitioner and lodge the FIR against proposed accused No.1 to 4 for

pressurizing and extending threats upon the petitioner, mis-use of their departmental power, which are penal offences.

- b) This Hon'ble Court may be pleased to direct the Respondent No. 01 & 02 to provide the protection to the applicants/petitioners and his family as such they are under severe mental, physical agony and pressure.
- c) Any other relief which this Hon'ble Court deems fit.

**Karachi**

**Dated:06-12-2023**

**PETITIONER/APPLICANT**

**ADVOCATE FOR THE  
APPLICANT/PETITIONER**

**IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI  
SOUTH**

**Cr.Misc App No.\_\_\_\_\_ /2023**

**Satesh** ----- Petitioner

***VERSUS***

**S.S.P**

**SHO P.S Napier** ----- Respondents

**PROPOSED ACCUSED**

**Muhammad Ramzan**  
**& others** ----- Proposed accused

**AFFIDAVIT**

I, **Satesh** S/o Ajeet Kumar, Muslim, adult, resident of Flat No. C-3, 2<sup>ND</sup> Floor, Aziz Plaza, bheem pura, dholi market near UBL Bank, Karachi, do hereby state on oath as under:-

1. That I am deponent of this affidavit as well as applicant/petitioner and fully conversant with the facts.
2. That the attached application under section 22-A & 22-B drafted and filed under my instruction which may be considered necessary part and parcel of this affidavit.
3. That until and unless accompanying application is granted I will be seriously prejudice and suffer irreparable losses and the end of justice also be defeated.
4. Whatever stated above is true and correct to the best of my knowledge and belief.

**KARACHI**

**DATED:06-12-2023**

**DEPONENT**

**IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI  
EAST**

**Cr.Misc App No.\_\_\_\_\_/2023**

- 1. Muhammad Umer Qureshi**  
S/o Muhammad Ikram Qureshi
- 2. Uzma**  
W/o Muhammad Umer Qureshi  
Both Muslim, Adult, Resident of  
Flat No. E-308, 4<sup>th</sup> Floor, Farhan  
Tower, main Rashid Minhas Road,  
Block-10, Gulshan-e-Iqbal,  
Karachi. -----

**Petitioners**

***VERSUS***

- 1. S.S.P**  
having office at  
District East, Karachi.
- 2. SHO P.S Shahra-e-Faisal,**  
District East, Karachi. -----

**Respondents**

- PROPOSED ACCUSED**
- 1. Muhammad Ikram Qureshi**  
S/o Hameedullah Qureshi
  - 2. Zarina Qureshi**  
W/o Muhammad Ikram Qureshi  
Both are Muslim, adults, R/o

Flat No. E-308, 4<sup>th</sup> Floor, Farhan  
Tower, main Rashid Minhas Road,  
Block-10, Gulshan-e-Iqbal,  
Karachi.

----- **Proposed Accused**

**PETITION UNDER SECTION 22 B Cr.P.C.**

The applicant/petitioner above named most respectfully submits his grievance as under:

1. That the petitioners are respectable and law abiding citizen of Pakistan and good reputation among general public.
2. That the proposed accused No.1 and 2 was not agree and happy regarding the love marriage of petitioner No.1 and 2, from day first proposed accused created issues and problems between petitioners.
3. That the proposed accused No.1 and 2 always wished evil regarding the relationship of petitioner No.1 and 2. It is pertinent to mention herein that the parents of petitioner No.1 was living with the petitioner No. 1 and 2 from the beginning but now the petitioner felling their-self insecure due to bad and misconduct of proposed accused.
4. That the proposed accused No.1 and 2 sold out the plot and deposited all the amount in the account of elder son but did not give any single penny to the petitioner No.1 as such the petitioner is also real son of the proposed accused, proposed accused never ever give love and affection to the petitioner No.1 and never help him out in his bad time, as such the petitioner No.1 and 2 live in rent house but never support him ever.

5. That the petitioner never ever demand his share from the proposed accused but they always disrespect the petitioners and warned them that don't demand the share of petitioner. It is pertinent to mention herein that the petitioner is not interested in the property of proposed accused, the petitioners only want their peace of mind from the proposed accused.
6. That the petitioner No.1 and 2 receiving calls from different numbers and receiving life threats from the proposed accused No.1 and 2, It is pertinent to mention here in that the proposed accused No. and 2 made plan to harass the petitioner No.1 and 2. They want to disturb the family of petitioner.
7. That without any cause of action the proposed accused made call to 15 and call the police with any reason and then police went back when police saw the situation normal, the proposed accused always tried to harass and pressurized the petitioners without any reason and threats them that if the petitioner No.1 will not leave the petitioner No.2 then they will kill both of the petitioner.
8. That due to the behavior of proposed accused the daughter of proposed accused is very sacred as such she stays alone with the proposed accused No. 1 and 2 whole day, and she scared from them, due to their behavior, now the petitioners have apprehension that they will kill the daughter of petitioner, because the daughter of petitioner always afraid when she alone with the proposed accused as such the petitioner No.1 and 2 are working persons and do job day time.

9. That the proposed accused No.1 filed frivolous and false application before concerned police station against the petitioners and given life threats through different numbers for dire consequences.
10. That on 02.12.2023 the proposed accused given life threats to the petitioner No.1 and 2 when they came back from XIVTH ADJ East Karachi, and warned the petitioner that if they will take any legal action they will kill them.
11. That the petitioner tried to approach the police but no legal help by the respondents to the petitioners and refusal to receive the complaints of the petitioner, the petitioner sent complaints through courier service to the official respondents.

**(The Photocopy of TCS Courier Receipt of the written complaints are annexed herewith and marked as Annexure "C, C/1 to C/\_\_\_\_").**

12. That the petitioner/applicant having no other efficacious and alternate remedy except to seek relief from this Hon'ble Court and he craves leave of this Honorable Court to urge and submit further grounds in favor of the petitioner/applicant at the time of hearing of this application.

**P R A Y E R**

The Applicant therefore prays as under:

- a) This Hon'ble Court may be pleased to direct the Respondent No. 01 & 02 to provide the protection to the applicants/petitioners and his family as such they are under severe mental, physical agony and pressure.
- b) Any other relief which this Hon'ble Court deems fit.

**Karachi**

**Dated:07-12-2023**

**PETITIONER/APPLICANT**

**ADVOCATE FOR THE PETITIONER**

**IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI  
EAST**

**Cr.Misc App No.\_\_\_\_\_ /2023**

**Muhammad Umer Qureshi**

**Uzma-----Petitioners**

***VERSUS***

**S.S.P  
SHO P.S Shahra-e-Faisal ----- Respondents**

**AFFIDAVIT**

**I, Muhammad Umer Qureshi S/o Muhammad Ikram Qureshi, Muslim, Adult, Resident of Flat No. E-308, 4<sup>th</sup> Floor, Farhan Tower, main Rashid Minhas Road, Block-10, Gulshan-e-Iqbal, Karachi, do hereby state on oath as under;**

1. That I am deponent of this affidavit as well as applicant/petitioner and fully conversant with the facts.
2. That the attached application under section 22-B drafted and filed under my instruction which may be considered necessary part and parcel of this affidavit.
3. That until and unless accompanying application is granted I will be seriously prejudice and suffer irreparable losses and the end of justice also be defeated.
4. Whatever stated above is true and correct to the best of my knowledge and belief.

**KARACHI**

**DATED:07-12-2023**

**DEPONENT**

**IN THE COURT OF DISTRICT & SESSION JUDGE AT KARACHI  
EAST**

**Cr.Misc App No.\_\_\_\_\_ /2023**

**Muhammad Umer Qureshi**

**Uzma-----Petitioners**

**VERSUS**

**S.S.P  
SHO P.S Shahra-e-Faisal ----- Respondents**

**AFFIDAVIT**

**I, Uzma W/o Muhammad Umer Qureshi, Muslim, Adult, Resident of Flat No. E-308, 4<sup>th</sup> Floor, Farhan Tower, main Rashid Minhas Road, Block-10, Gulshan-e-Iqbal, Karachi, do hereby state on oath as under;**

1. That I am deponent of this affidavit as well as applicant/petitioner and fully conversant with the facts.

2. That the attached application under section 22-B drafted and filed under my instruction which may be considered necessary part and parcel of this affidavit.
3. That until and unless accompanying application is granted I will be seriously prejudice and suffer irreparable losses and the end of justice also be defeated.
4. Whatever stated above is true and correct to the best of my knowledge and belief.

**KARACHI**

**DATED:07-12-2023**

**DEPONENT**

**IN THE COURT OF XI<sup>TH</sup> ADDITIONAL DISTRICT AND SESSIONS JUDGE, AT  
KARACHI SOUTH.**

Session Case No.2355/ 2023

1. Shahzada Saleem Kamal  
S/o Muhammad Kamal
2. Abdul Aziz son of Abdul Hameed  
Muslim, Adult, Presently  
confined in Central Prison  
Karachi.....Applicant / Accused

**VERSUS**

The State.....Respondent

FIR No. 291/2023  
U/S 392/397/34 PPC.  
P.S. Defence  
Karachi

**BAIL APPLICATION U/S 497 Cr.P.C.**

It is respectfully prayed on behalf of the applicant / accused abovenamed that this Hon'ble Court may graciously be pleased to enlarge the applicant / accused on bail, on the consideration of following facts and grounds.

**FACTS.**

Brief facts of the case narrated by the complainant are that I am residing at above mentioned adder and doing my personal business , on dated 11/05/2023 I gave one cheque to my office employees Awais son of Muhammad Dawood and Waqas Abbas son of Ghulam Abbas of HBL Bank Branch Main Korangi Defence Phase- 2, EXT Karachi and sent them to cash out eleven lakh rupees. On my mobile phone, Manager Faisal, who is the Manager of my office, informed me through the phone that the boys who were sent to the bank to withdraw cheque and other cash with whom the robbery was committed. After receiving the information about the incident, I immediately reached the office, and my employees told me verbally that as soon as we got the cash from the bank, we arrived at Plot No. 65-11 Commercial Street, Defense Phase-II, EXT, at 3:20 p.m. and as soon as we got off the bike, Four persons riding on two motorcycles who were wearing pant shirts on motorbikes and at gunpoint, they stole cash amount of Rupees eleven lacs which was in a bag from us, in the said bag there was one

CNIC Saad Asad , Two debit cards, after snatching they ridded on their motorcycles and flared up, My employees can identify them when they come forward, so far I have searched for information on my own, and now I have come to the report. My claim is against above said four persons, names and residences are unknown, for snatching of above amount from my employee. Take legal action, hence this bail application on the following grounds:

**(Copy of FIR and memo of arrest are annexed herewith and marked as A, A/1)**

**GROUNDS**

1. That the present applicant / accused is innocent and falsely implicated in this case by the police, only to safe the real culprits.
2. That from the face of the FIR it appears that the case of prosecution is false, fabricated, malicious and in a result of previous enmity, falsely involved the accused in this false case by preplanning evil drama and fabricated story.
3. That nothing was recovered from the possession of alleged applicant / accused.
4. That after arrest of the both applicant/accused on 25.05.2023, except framing of charge, no progress was made and the case of accused is linger-on on the part of prosecution on one another pretexts, the delay of no progress in the trial has been caused on the part of prosecution, for the same the accused should not be suffered under the law.

5. That the prosecution failed to depose any single witness for their deposition and bailable warrant against the complainant and private witnesses has also been issued but no any private witness has been come forward for deposition.
6. That the instant FIR was lodged on dated:15.05.2023 and the incident was happened on dated 11.05.2023, there is 5 day delay in lodging of FIR.
7. That the accused arrested on 25.05.2023 in FIR No.111/2023, U/S 23(i)a SSA 2013, P.S: SIU East, and thereafter the accused remanded to jail custody on 26.05.2023 thereafter the bail application No.2849/2023 was filed before District and Sessions judge East Karachi, bail was granted on 03.06.2023.
8. That the accused already acquitted in the connected FIR No.111/2023 and 112/2023, U/S 23(i)a SSA 2013, P.S: SIU East respectively , therefore the applicant/accused is entitled for bail on the account of rule of consistency.

**(Certified copy of acquittal order/judgements of both accused dated:24.11.2023 are annexed herewith and marked as A, A/1)**

9. That thereafter on 03.06.2023 the police requested to the 1<sup>st</sup> Civil Judge and Judicial Magistrate South Karachi for the custody of accused for investigation in FIR No.291/2023, U/S 392,397/34, P.S: Defence and the prosecution malafidely and falsely nominated/involved the applicant/accused above

named in the instant FIR only upon so called confession of the accused, it is submitted that the confession before police is not admissible under the law.

10. That in the circumstances when the Complainant and the prosecution witness is not supporting the prosecution case, as all the witnesses are interested witnesses, therefore, keeping the Applicant in the jail will serve no purpose.
11. That the first bail No.2106/202 was filed before district and sessions judge south Karachi which transferred to XI<sup>th</sup> Additional District and Sessions Judge South Karachi which was dismissed.
12. That as per circumstances and even according to the contents of the FIR, this case comes within the ambit of Sub-Section (2) of Section 497 Cr.P.C. as the same is a case of further enquiry and pending such inquiry the applicant / accused prays for concession of bail.
13. That the accused/ applicant has recorded his confessional statement before police , which is not admissible under the law and on mere statement he cannot be involved in the above case.
14. That the accused/ applicant has not been nominated in above FIR and no role has also been attributed to the accused /applicant in the above case.

15. That the applicant/accused has not been nominated in the above FIR and he has been falsely implicated in the above case.
16. That the applicant / accused hardened desperate or habitual criminal nor there is any apprehension that he may destroy or defect the evidence of the prosecution to be adduced against him.
17. That the applicant is ready to furnish the solvent surety to the entire satisfaction of this Hon'ble Court.
18. That other grounds shall be argued at the time of hearing of this bail application with the permission of this Hon'ble Court.

**PRAYER**

It is, therefore, respectfully prayed on behalf of the applicant / accused abovenamed that this Hon'ble Court may be pleased to enlarge him on bail on the consideration of foregoing facts and grounds, in the larger interest of justice and equity.

Karachi:

Dated: 28-02-2024                          Advocate for the Applicant / Accused

**BEFORE THE JUDICIAL MAGISTRATE, POLICE STATION**  
**Lower Mall, LAHORE.**

**B.A No.....B/2023**

ZA son of BM, resident of

**PETITIONER**  
**VERSUS**

The State

**RESPONDENT**

=====

Case FIR No.2462/23      Dated: 26.12.2023

Offence: U/S 216, 186 PPC

Police Station: Lower Mall, Lahore.

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

***Respectfully Sheweth;:-***

1. That the above titled false, frivolous and baseless FIR had been got registered with malafide intention and ulterior motives with the active connivance of the local police who have joined hands with each other just to humiliate the petitioner.  
Copy of the FIR is attached as **Annexure-A.**

2. That the petitioner is entitled for bail, inter-alia on the following amongst other:-

**GROUNDS**

- a. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- b. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.
- c. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.
- d. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.
- e. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in

- advance, whereas, "bail not jail" is a fundamental principle of natural justice for the grant of bail.
- f. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
  - g. That the petitioner is respectable citizen and belongs to a respectable family.
  - h. That the other grounds will be submitted at the time of arguments.
  - i. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon'able Court.

**PRAYER:**

*It is therefore, most respectfully prayed that the petitioner may very graciously be released on post-arrest bail in the keen interest of justice.*

**PETITIONER**

**Through**

**SK**  
Advocate High Court

**M.A**  
Advocate High Court

**MA**  
Advocate High Court

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**A D V O C A T E**

**IN THE LAHORE HIGH COURT, LAHORE.**

**Writ Petition No.\_\_\_\_\_ /2023**

**ZH** son of SM, caste Arrian, resident of jokalian Tehsil Phalia  
District Mandi Bahawal Din

**Petitioner**  
**V E R S U S**

1. **IG** Punjab office at Lahore.
2. **DPO Mandi Bahawaldin.**

3. SHO Phalia
4. AT SHO Phalia
5. S SI
6. SS SI 597/C
7. IA Police Man 454/C
8. MI Police Man 613/MHC
9. SZ Police Man 717/C
10. BH Police Man 840/C

Office/working at police Station Phalia.

### **Respondents**

#### **WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973.**

Respectfully Sheweth;-

1. That the addresses of the parties mentioned in the caption of the petition are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That on 09.07.2022 at 7:00PM petitioner alongwith his sons (1) suffyan Ali (2) Farhan Ali Hafiz Quran, Imam Masjid were present on the Public road near his home situated in the Green Town Phalia, in the mean while accused persons with

unknown some accused person came at the spot and started to beat the petitioner alongwith his sons .....

3. That the petitioner alongwith an application vide Diary No.\_\_\_\_\_ approached the respondent No.2 to take legal action against the accused persons and to take the cognizance in accordance with law for registration of the case but the respondent No.2 rather to register the case started to delay the matter and refused to register the FIR. Copy of the application is attached herewith for the kind perusal of this Hon'able Court as **Annexure-A**.
4. That due to the harsh attitude of the respondent No.2, the petitioner filed a petition U/S 22-A & 22-B Cr.P.C for the registration of a criminal case against the accused person before Mr. Safdar Ali Bhatti, Worthy ASJ, Lahore on 12.07.2023, the learned Justice of Peace, summoned the respondent No.2 for parawise comments, which were received on \_\_\_\_\_, and the learned Justice of Peace disposed of the petition with a direction the respondent No.2 as under:-  
"\_\_\_\_\_".

Copy of comments of respondent No.2 and order dated 18.07.2023 are attached as **Annexure-C&D**.

5. That it is the statutory duty of the respondent No.2 to take the cognizance Under Section 154 Cr.P.C when an information has been received with regard the commission of an offence and to record the statement in the relevant book and set the law in motion and also to lodge the FIR in the first instance but the respondent No.2 is still acting beyond its limits and powers and has not acted in accordance with law.
6. That the public functionaries are legally bound to do in accordance with law and it is statutory duty of the respondent No.2 to lodge the FIR and then to investigate the matter on merits but neither the FIR has been lodged nor the action has been taken and accused persons are still causing illegal harassments towards the petitioner.

7. That it is categorically explained observation/ direction of the Powers Ex-officio Justice of Peace and also duties of the respondent No.2 which is reproduced below;-

**PLD 2007 SUPREME COURT 539**

**“154. information in cognizable cases every information relating to the commission of a COGNIZABLE OFFENCE if given orally to an Officer Incharge of a Police Station SHALL be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid shall be signed by the persons giving it, and the substance thereof shall be entered in a book to be kept by such officer in such forum as the Provincial Government may prescribe in this behalf”**

**“155. Information in non-cognizable cases (1) When information is given to an Officer Incharge of a Police Station of the commission within the limits of such station of a NON COGNIZABLE OFFENCE, he SHALL enter in a book to be kept as aforesaid the substance of such information and refer the informant to the Magistrate.”**

**THAT THE PRINCIPLE LAID DOWN IN PLD 2007 SC 539 “a,b”.**

**Powers conferred under S.22-A (6) Cr.P.C on ex-officio justice of peace – scope and extent – only jurisdiction which could be exercised by an Ex-Officio Justice Of Peace under S.22-A (6) Cr.P.C was to examine whether the information disclosed by the applicant did or did not constitute a cognizable offence and if it did then to direct the concerned SHO to record an FIR without going into the veracity of the information in question, and no more – offering any other interpretation of S.22-A (6) Cr.P.C would be doing violence to entire scheme of Criminal Procedure Code, 1898 which could not be permitted – principles – legislative history of institution of Ex-Officio Justice Of Peace and powers conferred on them, traced.**

**THAT THE PRINCIPLE LAID DOWN IN 2010 P CR.L. J 296 Lahore.**

**Station House Officer concerned was directed by High Court to record statement of petitioner under S.154 Cr.P.C and handover the copy of the FIR to the petitioner without any delay.**

**(The Emphasis and underlining is ours).**

8. That under Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 the rights of the individual to be dealt within accordance with law and it is the duty of the public functionaries to act in good faith, honesty and within persistent of its powers that persons concerned should be treated in accordance with law as guaranteed by Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 and it is necessary that the respondent No.2 has to take the cognizance under the relevant law and in order to set the law in motion and he is legally bound to register the FIR.
9. That if this Hon'able Court does not direct to the respondent No.2 to register a criminal case against the culprits the petitioner shall suffer an irreparable loss and injury.
10. That the petitioner is left with no other alternative, speedy and efficacious remedy except to prefer the present petition.

**PRAYER:**

***In view of the submissions made above, it is therefore, most respectfully prayed that the respondent No.2 may very kindly be directed to register a criminal case against the accused person according to application moved by the petitioner and may also be directed to do in accordance with law in the interest of justice, equity and fair play.***

***It is further prayed that the respondent No.1 may kindly be directed to take action as per police order against the respondent No.2.***

***Any other relief which this Hon'able Court deems fit and appropriate in the circumstances of the case may also be awarded.***

*Petitioner  
Through*

— Advocate High Court

CNIC #  
Cell #

**CERTIFICATE:**

It is certified that this is first **Writ Petition** on the subject matter before this Hon'ble court.

Advocate

**IN THE LAHORE HIGH COURT, LAHORE.**

**Writ Petition No. \_\_\_\_\_ /2023**

In re:-

**ZHV<sub>s</sub>. CCPO etc.**

**WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION  
OF ISLAMIC REPUBLIC OF PAKISTAN 1973.**

**AFFIDAVIT OF:**

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "**Writ Petition**" may kindly be read as an integral part of this affidavit and nothing has been concealed therein.

**Deponent**

**VERIFICATION:**

Verified on Oath at Lahore this *day of August, 2023*  
that the contents of the above affidavit are true and  
correct to the best of my knowledge and belief.

**Deponent**

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M. No. \_\_\_\_\_/2023

IN

**Writ Petition No. \_\_\_\_\_/2023**

In re:-

**ZHV<sub>s</sub>. CCPO etc.**

**APPLICATION UNDER SECTION 151 CPC FOR DISPENSING  
OF DOCUMENTS.**

Respectfully Sheweth;:-

1. That the petitioner has filed the above titled Writ Petition alongwith copies of various documents, but certified copies of Annexures could not be filed, original of which are in possession of the departmental authorities.
2. That keeping in view the urgency of the matter it shall be appropriate to dispense with the filing of certified copy of annexures, and to entertain and decide the matter on merits.

***Under the above circumstances, it is, most respectfully prayed that filing of certified copy of Annexures may kindly be dispensed with and the Writ Petition may kindly be entertained and may kindly be decided on merits in the interest of justice.***

*Petitioner*

*Through*

— Advocate High Court

CNIC #  
Cell #

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M. No. \_\_\_\_\_ /2023

IN

Writ Petition No. \_\_\_\_\_ /2023

In re:-

ZHV<sub>s</sub>. CCPO etc.

**APPLICATION UNDER SECTION 151 CPC FOR DISPENSING  
OF DOCUMENTS.**

**AFFIDAVIT OF:** Jason

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "**Application**" may kindly be read as an integral part of this affidavit and nothing has been concealed therein.

**Deponent**

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_ day of August, 2023  
that the contents of the above affidavit are true and  
correct to the best of my knowledge and belief.

**Deponent**

**IN THE LAHORE HIGH COURT, LAHORE.**

**Writ Petition No.\_\_\_\_\_ /2023**

In re:-  
**ZHV<sub>s.</sub> CCPO etc.**

**INDEX**

<b><i>Sr. No.</i></b>	<b><i>Description of documents</i></b>	<b><i>Dated</i></b>	<b><i>Pages</i></b>
1.	Writ petition		
2.	Affidavit		
3.			
4.			
4.			
5.			
6.	Application for dispense with alongwith affidavit		
7.	Power of attorney		

Petitioner

Through

Advocate High Court

CNIC #

Cell #

**IN THE LAHORE HIGH COURT, LAHORE.**

**Crl. Misc. No...../B/2023**

**MU** son of EA, resident of House No..

**PETITIONER**

*Versus*

1. **The State**
2. **MRM** son of ML, resident of House No.

**RESPONDENTS**

=====

**FIR No.**3215/23

**Dated:** 21.08.2023

**Offence under Section:** 462-I PPC

**Police Station:**

=====

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

*Respectfully Sheweth:*

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent No.2 with malafide intention and ulterior motives, alleging the allegations as mentioned in the FIR. Copy of the FIR is attached herewith for kind perusal of this Hon'able Court as

**ANNEXURE-A.**

2. That the petitioner moved his pre-arrest bail application before Sessions Judge, Lahore and the same was entrusted to Ms. Ambreen Qureshi, Worthy ASJ, Lahore, who dismissed the same in a slipshod manner on 14.10.2023 without considering the facts, circumstances, material available on record and law laid down. Copy of the bail application and impugned order is attached as

**ANNEXURE-B.**

3. That the petitioner is quite innocent and has no nexus with alleged offence, allegation and occurrence, even otherwise no offence is made out against the present petitioner, hence

the petitioner seeks pre-arrest bail inter-alia on the following:

**G R O U N D S**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.
- b. That there is an unexplained delay of 9-days in lodging the FIR which shows the malafide of the complainant as well as police.
- c. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.

- d. That the learned court below while dismissing the bail of the petitioner ignored this fact that the Usama Bhatti is the only employee of the Snooker Club, who malafide and deliberately concealed this facts that the monthly electricity having Reference No.12113421404607U, Meter No.S-074391 in month of July, 2023 of Rs.47,565/- and the petitioner installed the same electricity bill
- e. That even otherwise it is a settled principle of natural justice “bail not jail” and “Justice should be substantive and not technical” and the petitioner is on the mercy of this Hon’able Court.
- f. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.

- g. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- h. That there is no apprehension of the petitioner's absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- i. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.
- j. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.
- k. That the petitioner is ready to join the investigation as and when required by the police.
- l. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

***In view of the above narrated facts and circumstances, it is, therefore, most respectfully and humbly prayed that bail application in hand may kindly be accepted and petitioner be allowed pre-arrest bail till the final decision of the above said case.***

*Meanwhile ad-interim bail may also be granted.*

**PETITIONER**

Through

**CMA**

Advocate High Court.

CNIC #

Cell #

**MF**

Advocate High Court

Cell #

**CERTIFICATE:**

As per information provided by my client this is the **1<sup>st</sup> bail application** before this Hon'able Court.

**ADVOCATE**

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2023

In re:

MU **Vs.** The State etc.

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:** MU son of EA, resident of House No.

I, the above named deponent, do hereby solemnly affirm and declare on Oath as under:

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this \_\_\_\_\_ day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2023

In re:

MU **Vs.** The State etc.

**I N D E X**

<b>Sr. #</b>	<b>Description</b>	<b>Dated</b>	<b>Page #</b>
1.	<i>Bail petition alongwith affidavit</i>		
2.	<i>Copy of the FIR ANNEXURE-A.</i>		
3.	<i>Copy of the bail application and impugned order is ANNEXURE-B.</i>		
4.			
5.			
6.	<i>Application for dispensation alongwith affidavit</i>		
7.	<i>Power of Attorney</i>		

**PETITIONER**

Through

**CMA**  
Advocate High Court  
CNIC #

Cell #

**MF**

Advocate High Court

Cell #

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

Bail Petition No. \_\_\_\_\_/2023

**MUS** son of SIQ, resident of

**PETITIONER**

**VERSUS**

**The State**

**RESPONDENT**

**Case FIR No.** 1037/24

**Dated:** 24.04.2024

**Offence:** U/S 376 PPC

**Police Station:** Defence-C, Lahore.

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF PRE-ARREST  
BAIL.**

**RESPECTFULLY SHEWETH:**

1. That the above said false, frivolous and baseless FIR was got registered alleging the allegation as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Honourable Court.
2. That the petitioner is quite innocent and is entitled to the grant of pre-arrest bail, inter-alia on the following:

**GROUNDS**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely

involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.

- b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.
- c. That even otherwise it is a settled principle of natural justice "bail not jail" and "Justice should be substantive and not technical" and the petitioner is on the mercy of this Hon'able Court.
- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bona fide intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.
- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner's absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.
- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.
- i. That the petitioner is ready to join the investigation as and when required by the police.
- j. That other grounds will be agitated at the time of arguments.
- k. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

***In view of the above submissions, it is respectfully and humbly prayed that this petition may kindly be accepted and the petitioner may very kindly be granted pre-arrest bail till the decision of the case.***

***It is, further prayed that ad-interim bail may also be allowed to the petitioner.***

**PETITIONER**

*Through*

**KM**  
*Advocate High Court*

**RAA**  
*Advocate High Court*

**S.U.T**  
*Advocate High Court*

**CERTIFICATE:**

*As per instruction, this is the **1<sup>st</sup> Petition** on the subject matter.*

**ADVOCATE**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

MUS                  **Vs.**      The State

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF PRE-ARREST  
BAIL.**

**AFFIDAVIT OF:**                  MUS son of

I the above named deponent solemnly affirm and declare on Oath as under:  
That the contents of the accompanying **Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this day of April, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**BEFORE THE SPECIAL JUDGE ANTI-TERRORISM COURT,  
LAHORE.**

**B.A No.....B/2023**

UZ son of MK, resident of Street No

**PETITIONER**

**VERSUS**

The State

**RESPONDENT**

=====

**Case FIR No.96/23**

**Dated:** 10.05.2023

**Offence:** U/S 34, 107, 109, 120(a), 120(b), 121, 121(a), 131, 146, 147, 148, 149, 152, 153, 153(a), 153(b), 174, 186, 225(b), 290, 291, 302, 324, 336, L2, F5,

F1, A3, A1, 337, 353, 395, 412, 427, 436, 440, 449, 452, 505, 201 PPC, 7ATA

**Police Station:** Sarwar Road, Lahore.

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

***Respectfully Sheweth;:-***

1. That the above titled false, frivolous and baseless FIR had been got registered with malafide intention and ulterior motives with the active connivance of the local police who have joined hands with each other just to humiliate the petitioner. Copy of the FIR is attached as **Annexure-A**.
2. That the petitioner is entitled for bail, inter-alia on the following amongst other; -

## **GROUND**

- a. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- b. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.
- c. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.
- d. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.
- e. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.

- f. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
- g. That the petitioner is respectable citizen and belongs to a respectable family.
- h. That the other grounds will be submitted at the time of arguments.
- i. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon'able Court.

**PRAYER:**

***It is therefore, most respectfully prayed that  
the petitioner may very graciously be released on  
post-arrest bail in the keen interest of justice.***

**PETITIONER**

**Through**

**KM**  
Advocate High Court

**MMI**  
Advocate High Court

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**A D V O C A T E**  
**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**TR** daughter of MR, resident of House No.

**Petitioner**

V E R S U S

**1. Director FIA**, Cyber Crime Wing, Lahore.

**2. Deputy Director FIA**, Cyber Crime Wing, Lahore.

**Respondent**

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

Respectfully Sheweth;-

1. That the addresses of the parties mentioned in the caption of the petition are correct for the purpose of summons, notices and other process of this Hon'able Court.

2. That the petitioner alongwith an Application Diary No.LHR-12495/23, Dated 13.10.2023 approached the respondent No.2 to take legal action against the accused persons and to take the cognizance in accordance with law for registration of the case but the respondent rather to register the case is continuously delaying the matter on one pretext or the other. Copy of the application is attached herewith for the kind perusal of this Hon'able Court. The contents of application for registration of case may kindly be read as integral part of this petition.
3. That it is the statutory duty of the respondent to take the cognizance Under Section 154 Cr.P.C when an information has been received with regard the commission of an offence and to record the statement in the relevant book and set the law in motion and also to lodge the FIR in the first instance but the respondent is still acting beyond his limits and powers and has not acted in accordance with law.
4. That the public functionaries are legally bound to do in accordance with law and it is statutory duty of the respondent to lodge the FIR and then to investigate the matter on merits but neither the FIR has been lodged nor the action has been taken and accused persons are still causing illegal harassments towards the petitioner.
5. That it is categorically explained observation/ direction of the Powers Ex-officio Justice of Peace and also duties of the respondent which is reproduced below;-

**PLD 2007 SUPREME COURT 539**

“154. information in cognizable cases every information relating to the commission of a COGNIZABLE OFFENCE if given orally to an Officer Incharge of a Police Station SHALL be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid shall be signed by the persons giving it, and the substance thereof shall be entered in a book to be kept by such officer in such forum as the Provincial Government may prescribe in this behalf”

“155. Information in non-cognizable cases (1) When information is given to an Officer Incharge of a Police Station of the commission within the limits of such station of a NON COGNIZABLE OFFENCE, he SHALL enter in a book to be kept as aforesaid the substance of such information and refer the informant to the Magistrate.”

THAT THE PRINCIPLE LAID DOWN IN PLD 2007 SC 539 “a,b”.

Powers conferred under S.22-A (6) Cr.P.C on ex-officio justice of peace – scope and extent – only jurisdiction which could be exercised by an Ex-Officio Justice Of Peace under S.22-A (6) Cr.P.C was to examine whether the information disclosed by the applicant did or did not constitute a cognizable offence and if it did then to direct the concerned DIRECTOR FIA to record an FIR without going into the veracity of the information in question, and no more – offering any other interpretation of S.22-A (6) Cr.P.C would be doing violence to entire scheme of Criminal Procedure Code, 1898 which could not be permitted – principles – legislative history of institution of Ex-Officio Justice Of Peace and powers conferred on them, traced.

**THAT THE PRINCIPLE LAID DOWN IN 2010 P C.R.L. J 296 Lahore.**

Station House Officer concerned was directed by High Court to record statement of petitioner under S.154 Cr.P.C and handover the copy of the FIR to the petitioner without any delay.

(The Emphasis and underlining is ours).

6. That under Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 the rights of the individual to be dealt within accordance with law and it is the duty of the public functionaries to act in good faith, honesty and within persistent of its powers that

persons concerned Director FIAuld be treated in accordance with law as guaranteed by Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 and it is necessary that the respondent has to take the cognizance under the relevant law and in order to set the law in motion and he is legally bound to register the FIR.

7. That if this Hon'able Court does not direct to the respondent to register a criminal case against the culprits the petitioner shall suffer an irreparable loss and injury.
8. That the petitioner has left with no other alternative, speedy and efficacious remedy except to prefer the present petition.

**PRAYER:**

*In view of the submissions made above, it is therefore, most respectfully prayed that the respondent may very kindly be directed to register a criminal case against the accused persons according to application moved by the petitioner and may also be directed to do in accordance with law in the interest of justice, equity and fair play.*

*It is further prayed that the respondent may kindly be directed to immediate to close all fake, bogus, Youtube channels*

*Any other relief which this Hon'able Court deems fit and appropriate in the circumstances of the case may also be awarded.*

**Petitioner**

Through

**NK**  
Advocate High Court

**ZH**  
Advocate

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

**TR Vs.** Director FIA etc.

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE**  
**REGISTRATION OF CASE.**

**AFFIDAVIT OF:** **TR** daughter of M.R, resident of House No.

I the above named deponent do hereby solemnly affirm and declare  
as under:

That the contents of accompanying **Petition** may kindly be read as an integral part of this affidavit and nothing has been concealed therein, all the contents are true and correct.

Deponent

**VERIFICATION:**

Verified on Oath at Lahore this **12<sup>th</sup> day of December, 2023** that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

Deponent

The State **Vs.** Idrees etc.

Statement of accused AK son of MK, Caste Pathan, aged 33-Years, resident of Chungi Amar Sidhu, Lahore.

**Without Oath U/S. 342 Cr.P.C.**

**Q.1.** It is in the prosecution evidence that on 29.06.2022, at 5:15 AM, WA SI (PW-2) alongwith Az/C, AR/C, MS/C and A/C was present at Bank Stop, Walton Road, Lahore on official vehicle No.LWN-3770 drove by S/DC for mobile duty. You and your co-accused while armed with 223 bore rifle and pistol 30-bore came there who were signaled to stop. Instead of complying with the order you alongwith your co-accused stop back and threatened policy party not to apprehend you otherwise you

would kill them. Afterwards you and your co-accused immediately started firing whereby the police party saved themselves while taking shelter of police vehicle. Two fire shots made by you and your co-accused damaged the bumper of official vehicle No.LWN-3770. The police party also made firing in self defence at the spot. You M.IDwas apprehended at the spot whereas your co-accused AK fled away from the spot. What do you say about it?

**Ans.** The prosecution evidence/story is false and frivolous and no occurrence was take place. The complainant alongwith the other prosecution witnesses are liars. The prosecution failed to provide the CCTV footage of the occurrence. Prosecution failed to present the test identification parade. Investigation Officer did not collect any empty of the bullet. So called damaged vehicle was not recovered by the investigation officer. The investigation officer did not present the forensic report of any empty bullet and refile etc. The complainant is a sick, insane, blind and corrupted mind person and for grabbing the amount from me and for showing the false progress to your high ups, the complainant involved me in this case and also one false statement was recorded by the police on the behalf of co-accused Mian Idrees.

**Q.4.** It is in the prosecution evidence that on 29.06.2022 WA SI (PW-2) secured 50-crime empties of rifle 223-bore P3/1-5- and 20-crime empties of pistol 30-bore P4/1-20 from the spot, made them into sealed parcel and took the same into possession vide recovery memo Ex.PC, duly signed by AR/C and Ghulam Sabir/C as attesting witnesses. He also secured five crime empties of SMG rifle P5/1-5 made by policy party in self defence from the spot, made them into sealed parcel and

took the same into possession vide recovery memo Ex.PD, duly signed by AR/C and Ghulam Sabir/C as attesting witnesses. What do you say about it?

**Ans.** The prosecution evidences is false and frivolous, I was not present at the place of the occurrence on 29.06.2022. The complainant has no right to collect the empties bullets. It was a duty of the investigation officer to collect the empties if any occurrence was take place. No recovery was happened from me of any weapon. No forensic report is available which shows that any occurrence took place. The story of the prosecution is false and frivolous and only is fairy tale. The complainant is a insane and corrupted minded person.

**Q.5.** It is in the prosecution evidence that Waqas Ahmed SI (PW-2) drafted complaint Ex.PA/1 and sent the same through Muhammad Az/C to Police Station Factory Area, Lahore for the registration of FIR on the basis of which FIR Ex.PA was registered against you and your co-accused. What do you say about it?

**Ans.** That the complainant is a insane and corrupted mind person and contents of the FIR are false and frivolous. On 29.06.2022 at 11:00PM, i was arrested from the Ichhra. My brother also filed the habeas petition against the police culprits. When again and again, the bailiff appointed by the Session Court, raided on the different police stations, then the police registered the back dated false and frivolous case and nominated me in the said case.

**Q.6.** It is in the prosecution evidence that on 29.06.2023 MA SI (PW-5) visited the place of occurrence and prepared unscaled site plan of the place of occurrence Ex.PF. What do you say about it?

**Ans.** The unscaled site plan is false and frivolous and it is a concocted story of the complainant and his companions. As per the said site plan, the police station is exist on the Western side and road is going from west to east but the liar complainant told during the cross examination that the road is exist from South to North or North to South, which discloses that the complainant did not even see the alleged place of the occurrence.

**Q.7.** Why this case was registered against you and why the PWs have deposed against you?

**Ans.** I was declared innocent during the investigation. No recovery was happened from me. I am employee in Wapda /Electricity Company. I am also National and International Body Builder Player. That near about 4-years ago, the father of the petitioner filed the petition, writ petition as well contempt petition against the local police on committing the decaty in house of my father. The said cases against the local police are still pending. I made the body builder club in the plaza of MIand some dispute arose on rent between the me and MIand I left this place and made the club in my father purchased land on Jail Road, Lahore. My other brother namely B has also service station and two other brothers also have the own shops on the Jail Road, Lahore and my father has own house. The complainant is a insane and corrupted mind person and false and frivolous case was lodged against me just to show the false progress to his high ups police officials and for grabbing the amount. No single complain/FIR has been submitted against me by any person.

**Q.8.** Will you produce any defence evidence?

**Ans.** Yes.

**Q.9.** Will you appear on Oath as you own witness u/s 340(2) Cr.P.C?

**Ans.** Yes.

**Q.10.** Have you anything else to say?

**Ans.** I am innocent and may kindly be acquitted from the case.

**RO& AC.**

**AGK**

Dated: 23.11.2023

JUDGE ATC-1, LAHORE.

**CERTIFICATE:**

*Certified that examination of the accused has been taken in my presence and hearing and that the record contains a full and true account of the statement made by the accused.*

**AGK**

Dated: 23.11.2023

JUDGE ATC-1, LAHORE.

**IN THE COURT OF SPECIAL JUDGE, FIA, LAHORE.**

**B.A No.....B/2024**

SB son of AR, resident of

**PETITIONER**

**VERSUS**

The State

**RESPONDENT**

=====

Case FIR No.57/24

Dated: 29.03.2024

Offence: U/S 462-I PPC

Police Station: ACC/FIA.,

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

***Respectfully Sheweth;:-***

1. That the above said case has been registered against the petitioner and on the same date the petitioner was arrested on 29.03.2024 and now on judicial remand.
2. That the allegation against the petitioner is that he being consumer involved in the theft of electricity in vicinity of inside Taxali Gate, Lahore. For details copy of FIR is attached.
3. That now the petitioner is seeking post arrest bail inter-alia on the following:

**GROUND**

- a. That the petitioner is innocent and has been involved in this case due to the malafide intention of the complainant and local police.
- b. That in fact the petitioner is only worker at the place where the alleged occurrence, as per FIR, taken placed and the same is a Bobi Manzil market a building a multiple stories where on number of tenants have been running small shoes hand making shoes setup small factory of shoes making and the petitioner is neither owner of the premises nor the consumer of the said place and only a shoes maker/worker on daily basis, hence the alleged offence is not made out against applicant and the matter is one of further inquiry.
- c. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that

the whole version of FIR itself makes the case that of further inquiry.

- d. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.
- e. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.
- f. That as per FIR six reference numbers have been mentioned but as per information of the petitioner only one meter is installed at the premises and no specific reference number is mentioned which also create doubts and made a case one of further inquiry.
- g. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.
- h. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, "bail not jail" is a fundamental principle of natural justice for the grant of bail.
- i. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
- j. That the petitioner is respectable citizen and belongs to a respectable family.
- k. That the other grounds will be submitted at the time of arguments.
- l. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon'able Court.

**PRAYER:**

*It is therefore, most respectfully prayed that  
the petitioner may very graciously be released on  
post-arrest bail in the keen interest of justice.*

**PETITIONER**

**Through**

**MRA**  
Advocate High Court  
Office No

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**A D V O C A T E**

**IN THE LAHORE HIGH COURT, LAHORE.**

**Writ Petition No.\_\_\_\_\_ /2024**

***Jason son of***

**Petitioner**

V E R S U S

1. ***Additional Sessions Judge/Ex-Officio Justice of Peace, \_\_\_\_\_***
2. ***Station House Officer, Police Station \_\_\_\_\_***
3. \_\_\_\_\_

**Respondents**

**WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION  
OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973.**

*Respectfully Sheweth:-*

1. That the addresses of the parties are correctly given in the head note of this writ petition for the purpose of services.
2. That the brief facts of the instant Writ Petition are that respondent No.3 filed a petition under section 22-A, 22-B Cr.P.C against the present petitioner before Worthy Additional Sessions Judge i.e. Respondent No.1 for the registration of criminal case against the petitioner. The Worthy Respondent No.1 summoned the respondent No.2 for parawise comments which were received. The petition of

the respondent No.3 was disposed of vide impugned order dated 14.02.2024 with a direction to the respondent No.2 to record the statement of the respondent No.3. Copy of application, petition and impugned order dated 14.02.2024 is attached as **Annexure-A, B &C**.

3. That actually the sister of the petitioner contracted marriage with respondent No.3 secretly without the consent of the family members. The respondent No.3 in order to pressurize, humiliate and harass the petitioner and other family members have obtained the order for registration of case, otherwise no occurrence took place in any manner whatsoever.
4. That the respondent No.3 is illegally and unlawfully harassing, blackmailing the present petitioner for registration of the criminal case, which is not made out.
5. That the petitioner is respectable citizens of this country, whereas respondent No.3 is blackmailer.
6. That the order dated 14.02.2024 is not sustainable in the eyes of law and is liable to be set-aside.

7. That the respondent No.3 himself is a guilty person for blackmailing and harassing the petitioner and is liable to be proceeded under the relevant provisions of law.
8. That there is no cognizable case is made out against the present petitioner in the light of the application moved by the respondent No.3 and if the respondent No.2 is not restrained from registration of false and frivolous case, the petitioner would suffer irreparable loss and injury.
9. That the petitioner has no other efficacious and speedy remedy except to invoke the constitutional jurisdiction of this Hon'ble Court.

**PRAYER:**

**Under the above said circumstances it is, therefore, most respectfully prayed that Writ Petition in hand may kindly be accepted, the order dated 14.02.2024 passed by Worthy Respondent No.1 may kindly be declared void ab-initio and having no value in the eyes of law and the same may very kindly be set aside.**

**It is also prayed that during the pendency of the titled Writ Petition the operation of order dated 14.02.2024 may very kindly**

**be suspended and respondent No.2 may kindly be restrained from registration of false and frivolous case against the present petitioner in the interest of justice.**

**Any other relief which this Hon'ble Court deems fit may also be awarded.**

Petitioner

Through

Advocate High Court

CNIC #  
Cell #

**CERTIFICATE:**

As per instruction of my client, this is the ***First Writ Petition*** on the subject cited above, before this Hon'able Court.

Advocate

**IN THE LAHORE HIGH COURT, LAHORE.**

**Writ Petition No.\_\_\_\_\_ /2024**

*In re:*

*Jason Vs. ASJ etc.*

**WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION  
OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973.**

**AFFIDAVIT OF:**      ***Jason son of***

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Writ Petition** may kindly be read as an integral part of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this *day of October, 2024* that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M. No.\_\_\_\_\_ /2024

IN

**Writ Petition No.\_\_\_\_\_ /2024**

**In re:**

*Jason Vs. ASJ etc.*

**APPLICATION UNDER SECTION 151 CPC FOR DISPENSING OF DOCUMENTS.**

**Respectfully Sheweth;-**

1. That the petitioner has filed the above titled writ petition alongwith copies of various documents, but certified copies of Annexures could not be filed.
2. That keeping in view the urgency of the matter it shall be appropriate to dispense with the filing of certified copy of annexures, and to entertain and decide the matter on merits.

**Under the above circumstances, it is, most respectfully prayed that filing of certified copy of Annexures may kindly be dispensed with and the writ petition may kindly be entertained and decided on merits in the interest of justice.**

Petitioner

Through

Advocate High Court

CNIC #  
Cell #

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M. No. \_\_\_\_\_/2024  
IN  
Writ Petition No. \_\_\_\_\_/2024

**In re:**

*Jason Vs. ASJ etc.*

**APPLICATION UNDER SECTION 151 CPC FOR DISPENSING OF DOCUMENTS.**

**AFFIDAVIT OF:**      ***Jason*** son of

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** may kindly be read as an integral part of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this *day of October, 2024* that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M. No. \_\_\_\_\_/2024  
IN  
**Writ Petition No. \_\_\_\_\_/2024**

**In re:**

*Jason Vs. ASJ etc.*

**APPLICATION UNDER SECTION 151 CPC.**

**Respectfully Sheweth;-**

1. That the petitioner has filed the titled petition which is yet to be fixed for hearing.
2. That the contents of the writ petition may kindly be read as integral part of this application.
3. That the petitioner has good *prima facie* case in his favour, which is likely to be succeeded.
4. That the balance of convenience is also lies in favour of the petitioner.
5. That if interim relief as prayed for is not granted, the petitioner shall suffer irreparable loss and injury.

***It is, therefore, most respectfully prayed that during the pendency of Writ Petition***

Petitioner

Through

Advocate High Court

CNIC #  
Cell #

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M. No. \_\_\_\_\_/2024  
IN  
Writ Petition No. \_\_\_\_\_/2024

**In re:-**

*Jason*      **Vs.**    *ASJ etc.*

**APPLICATION UNDER SECTION 151 CPC.**

**AFFIDAVIT OF:**      ***Jason*** son of

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** may kindly be read as an integral part of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this *day of October, 2024* that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

***Deponent***

**IN THE LAHORE HIGH COURT LAHORE.**

**Writ Petition No.\_\_\_\_\_ /2024**

***In re:***

*Jason Vs. ASJ etc.*

**I N D E X**

S. #	DESCRIPTION OF DOCUMENT	DATED	PAGES
1.	<i>Writ Petition with affidavit</i>		
2.			
3.			
4.			
5.			
	<i>Application for dispensation with affidavit</i>		
	<i>Application for stay with affidavit</i>		
	<i>Power of attorney.</i>		

Petitioner

Through

\_\_\_\_\_  
Advocate High Court  
CNIC #

**BEFORE THE JUDICIAL MAGISTRATE, POLICE STATION**

**B.A No.....B/2024**

SA son of MNB, resident of House No.

**PETITIONER**

**VERSUS**

The State

**RESPONDENT**

=====

Case FIR No.1084/23

Dated: 31.03.2023

Offence: U/S 324,337F6 PPC

Police Station:

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

***Respectfully Sheweth;:-***

1. That the above titled false, frivolous and baseless FIR had been got registered with malafide intention and ulterior motives with the active connivance of the local police who have

joined hands with each other just to humiliate the petitioner.

Copy of the FIR is attached as **Annexure-A**.

2. That the petitioner is entitled for bail, inter-alia on the following amongst other;-

### **GROUND**

- a. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- b. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.
- c. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.
- d. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.
- e. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.

- f. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
- g. That the petitioner is respectable citizen and belongs to a respectable family.
- h. That the other grounds will be submitted at the time of arguments.
- i. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon'able Court.

**PRAYER:**

*It is therefore, most respectfully prayed that  
the petitioner may very graciously be released on  
post-arrest bail in the keen interest of justice.*

**PETITIONER**

**Through**

**AKB**  
Advocate High Court

**KMA**  
Advocate High Court

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**A D V O C A T E**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

Bail Petition No. \_\_\_\_\_ /2024

**MS** son of MAK, resident of House No.

**PETITIONER**  
**VERSUS**

**The State**

**RESPONDENT**

**Case FIR No.**

**Dated:** 08.04.2024

**Offence:** U/S 4891 PPC

**Police Station:** .

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**RESPECTFULLY SHEWETH:**

1. That the above said false, frivolous and baseless FIR was got registered alleging the allegation as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Honourable Court.

2. That the petitioner is quite innocent and is entitled to the grant of pre-arrest bail, inter-alia on the following:

**GROUNDS**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.
- b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.
- c. That even otherwise it is a settled principle of natural justice "bail not jail" and "Justice should be substantive and not technical" and the petitioner is on the mercy of this Hon'able Court.
- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.
- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner's absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.

- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.
- i. That the petitioner is ready to join the investigation as and when required by the police.
- j. That other grounds will be agitated at the time of arguments.
- k. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

***In view of the above submissions, it is respectfully and humbly prayed that this petition may kindly be accepted and the petitioner may very kindly be granted pre-arrest bail till the decision of the case.***

***It is, further prayed that ad-interim bail may also be allowed to the petitioner.***

**PETITIONER**

*Through*

**MT**  
*Advocate High Court*

**CERTIFICATE:**

*As per instruction, this is the 1<sup>st</sup> **Petition** on the subject matter.*

**ADVOCATE**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

MS              **Vs.**    The State

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:**      **MS** son of MAK, resident of House No

I the above named deponent solemnly affirm and declare on Oath  
as under:

That the contents of the accompanying **Petition** are true and  
correct to the best of my knowledge and belief and nothing has been  
concealed therein.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this day of April, 2024*

*that the contents of the above affidavit are true and  
correct to the best of my knowledge and belief and  
nothing has been concealed therein.*

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No.....-B/2024

**SB** son of ALB son of MA, resident of

(Presently confined in Camp Jail Lahore)

**PETITIONER**

*Versus*

1. **The State**
2. HMS.

**RESPONDENTS**

=====

**FIR No. 2965/23 Dated:** 01.12.2023

**Offence under Section:** The Control of Narcotic Substances Act, 1997 9(1)3C CNSA

**Police Station:**

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

*Respectfully Sheweth:*

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent No.2 with malafide intention and ulterior motives, alleging the allegations as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Hon'able Court as **ANNEXURE-A**.

2. That the petitioner moved his post arrest bail before Mr. \_\_\_\_\_, Additional District and Sessions Judge which was dismissed on \_\_\_\_\_ without considering the facts, circumstances and material available on record. Copy of impugned order and bail application is attached herewith for the kind perusal of this Honourable Court as **ANNEXURE-B.**

3. That the petitioner is innocent and is no more required to the police, hence seeks post-arrest bail inter alia on the following:

### **G R O U N D S**

a. That the petitioner is law abiding citizen, the petitioner is absolutely innocent in the said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.

- b. That the petitioner has nothing to do with the alleged offence and previous non-convict, hence entitled for the relief of bail.
- c. That the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.
- d. That the petitioner is merely involved in this case due to police rivalry and the FIR is an outcome of malafide on the part of complainant.
- e. That there is no apprehension of petitioner’s abscondance or tampering with the prosecution evidence.
- f. That other grounds will be agitated at the time of arguments.
- g. That the petitioner is ready to furnish surety bond for the entire satisfaction of this Honourable Court.

**PRAYER:**

*In view of the above submissions and circumstances, it is, therefore, most respectfully and humbly prayed that the application in hand may kindly be accepted and petitioner may very kindly be allowed post arrest bail till the final decision of case.*

**PETITIONER**

Through

Advocate High Court

CNIC #  
Cell #

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**ADVOCATE**

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M No.\_\_\_\_\_ -B/2024

In

Crl. Misc. No...../B/2024

In re:

SB    **Vs.**   The State etc.

**APPLICATION UNDER SECTION 561-A Cr.P.C FOR  
DISPENSATION OF FILING OF CERTIFIED COPIES OF SOME  
ANNEXURE.**

*Respectfully Sheweth:*

1. That the petitioner has filed the aforementioned bail petition before this Hon'able Court which is fixed for today.
2. That the petitioner has filed photo state copies of some Annexure-with the bail petition and will produce the original/attested ones when are made available.

***It is, therefore, most respectfully prayed that  
meanwhile production of original/attested  
documents may very kindly be dispensed with.***

**PETITIONER**

Through

Advocate High Court

CNIC #  
Cell #

**IN THE LAHORE HIGH COURT, LAHORE.**

**Crl. Misc. No.....-B/2024**

In re:

**SB Vs. The State etc.**

**I N D E X**

<b>Sr. #</b>	<b>Description</b>	<b>Dated</b>	<b>Page #</b>
1.	Bail petition		
2.	Copy of the FIR is <b><u>ANNEXURE-A</u></b> .		
3.			
4.			
5.			
6.	Application for dispensation		
7.	Power of Attorney		

**PETITIONER**

Through

Advocate High Court  
CNIC #  
Cell #

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**SK** son of **ZDK**, resident of

**Petitioner**

**V E R S U S**

1. **CCPO, Lahore.**
2. **Station House Officer**, Police Station Shadbagh, Lahore.
3. **Station House Officer**, Police Station Masti Gate, Lahore.

**Respondents**

**Petition:** UNDER SECTION 22-A, 22-B Cr.P.C FOR ISSUANCE OF AN APPROPRIATE DIRECTION TO RESPONDENTS NO.2&3 NOT TO HARASS THE PETITIONER AND HIS FAMILY MEMBERS ILLEGALLY, UNLAWFULLY ON THE BEHEST OF RESPONDENTS NO.2 TO 3.

**Respectfully Sheweth; -**

1. That the addresses of the parties are correct for the process of services summons/notices.

2. That the petitioner belongs to respectable family and is spending his peaceful life and have never been involved in any criminal activities, but respondents No.2&3 without any lawful justification, illegally and unlawfully harassing and blackmailing the petitioner and his family members at the instigation of the respondents No.2 to 3 without any cogent reason and without any lawful authority.
3. That the petitioner is not involved in any criminal activities and there is not a single complaint pending against the petitioner in any police station or authority etc.
4. That respondents No.2&3 alongwith their officials paid visit in the house of the petitioner illegally and unlawfully extended threats to petitioner and his family members and said that they will arrest him and involve in false cases.

5. That respondents No.2&3 have no lawful authority to harass the petitioner and his family members without any justification, whereas there is no criminal proceedings are pending against the petitioner, so the above said acts of respondents No.2&3 is totally against law and natural justice.
6. That the said act of the respondents is highly condemnable and is punishable as per law, because as per Constitution of Islamic Republic of Pakistan, every citizen has a right to live and spent a peaceful and comfortable life.
7. That the petitioner is innocent person but the respondent has intention to drag the petitioner in series of false cases.
8. That the petitioner has no other adequate and efficacious remedy except to invoke the jurisdiction of this Hon'able Court.

**PRAYER :-**

*It is, therefore, most respectfully prayed that respondents No.2&3 may kindly be restrained from harassing, pressurizing, humiliating and blackmailing to the petitioner and his family members on the instigation of respondents.*

*Any other relief which this Hon'able Court deems fit and appropriate may also be awarded.*

Petitioner

Through

**Counsel**  
Advocate High Court

Dated: \_\_\_\_\_

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

**Mst. SK Vs. SHO etc.**

Petition: UNDER SECTION 22-A, 22-B Cr.P.C.

**AFFIDAVIT OF:** *SK son of ZDK, resident of House No*

*I the above named deponent do hereby solemnly affirm and declare as under:*

*That the contents of accompanying "Petition" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**VERIFICATION:-**

Verified on Oath at Lahore this day of March, 2024 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**IN THE COURT OF WORTHY SESSIONS JUDGE,**  
**LAHORE.**

Criminal Revision No. \_\_\_\_\_/2024

**SAH** son of KMS, resident of

....*Petitioner*

**V E R S U S**

1. *The State.*
2. *Learned Judicial Magistrate,*

....*Respondents*

**CRIMINAL REVISION PETITION AGAINST THE ORDER DATED**  
**16.11.2017 PASSED BY LEARNED JUDICIAL**  
**MAGISTRATE/RESPONDENT NO.2.**

***Respectfully Sheweth:-***

1. That brief facts leading to the present revision petition are that the petitioner is accused of Case FIR No.492/2016, Dated:

08.06.2016, Offence: U/S 392 PPC, Police Station: Nawan Kot, Lahore.

2. That pre-arrest bail application of the petitioner has been confirmed on basis of compromise by the court of ASM, Worthy ASJ, Lahore vide order dated 20.09.2016. Copy of affidavit of complainant is attached.
3. That later on challan proceedings were started, the petitioner remained totally unaware about all of the proceedings of the case, because of the reason the petitioner did not receive any notice, summon, proclamation issued by trial court and remained totally unaware about whole of the proceedings of the case.
4. That the impugned order dated 16.11.2017 passed by learned Judicial Magistrate is absolutely illegal and unlawful and liable to be set-aside on the following amongst other;—

**G R O U N D S**

- (a) That the petitioner remained unaware about whole proceedings.
- (b) That impugned order is unjust, illegal, unlawful.
- (c) That the petitioner is ready to join challan proceedings.
- (d) That the Judicial Magistrate has not taken into consideration the facts of the case and law on the subject in particular in its true perspective and has pass the impugned order without applying the judicial mind, therefore, the impugned order is liable to be set-aside.

- (e) That while deciding the application the learned lower court acted in exercise of its jurisdiction illegally with material irregularity which cannot be sustain in the eye of law.
- (f) That the impugned order is result of surmises and conjectures.
- (g) That the impugned order is nullity in the eyes of law.
- (h) That the impugned order is harsh in nature, so the same has no value in the eyes of law.

***Under the above mentioned circumstances, it is, therefore, respectfully prayed that the order dated 2017 passed by Respondent No.2 may kindly be set-aside and the petitioner may very kindly be allowed to defend the challan proceedings in the interest of justice and equity by restarting the same for the sake of justice.***

***It is further prayed that the proceedings pending before learned trial court may kindly be stayed and operation of order dated 16.11.2017 may very kindly be suspended till the final decision of the Revision Petition and specifically non-bail able perpetual warrant of arrest of the petitioner may very kindly be cancelled.***

***Any other relief which this Honourable Court deems fit may also be awarded.***

Petitioner

*Through*

**SMS**

Advocate High Court

**NOTE:** This is the **First Revision Petition** against the order.

Advocate

**IN THE COURT OF WORTHY SESSIONS JUDGE,**  
**LAHORE.**

In re:-

**SAH Vs. The State etc.**

(CRIMINAL REVISION)

**AFFIDAVIT OF:** **SAH** son of KMS, resident of.

I the above named deponent do hereby solemnly affirm and declare  
as under:

That the contents of accompanying **Revision Petition** are true and  
correct to the best of my knowledge and belief and nothing has been  
concealed therein.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this 2024 that the contents of  
above affidavit are true and correct to the best of my*

*knowledge and belief and nothing has been concealed  
therein.*

***Deponent***

**IN THE COURT OF WORTHY SESSIONS JUDGE,**  
**LAHORE.**

In re:-

**SAH Vs. The State etc.**

(CRIMINAL REVISION)

**APPLICATION FOR THE SUSPENSION OF IMPUGNED ORDER DATED 16.11.2017 AND  
FOR STAYING THE PROCEEDINGS OF TRIAL COURT.**

***Respectfully Sheweth:***

1. That the petitioner has filed the above titled revision petition in this honourable court in which no date of hearing has yet been fixed.
2. That the contents of the revision petition may kindly be read as an integral part of this application.
3. That petitioner has a good *prima facie* case in his favour and the same is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioner and against the respondents.
5. That if the interim relief as prayed for is not granted, the petitioner shall suffer irreparable loss and injury.

**PRAYER:**

Under the above circumstances it is, therefore, most respectfully prayed that during the pendency of the Revision Petition the operation of the impugned order dated 16.11.2017 may kindly be suspended ***and specifically non-bail able perpetual warrant of arrest of the petitioner may very kindly be cancelled*** ***and*** proceedings of trial court may very kindly be stayed till the disposal of this revision petition before this Hon'able Court.

Petitioner  
***Through***

**SMS**  
Advocate High Court

**IN THE COURT OF WORTHY SESSIONS JUDGE,**  
**LAHORE.**

In re:-

**SAH Vs. The State etc.**

(CRIMINAL REVISION)

**APPLICATION FOR THE SUSPENSION OF IMPUGNED ORDER DATED  
16.11.2017 AND FOR STAYING THE PROCEEDINGS OF TRIAL COURT.**

**AFFIDAVIT OF:** **SAH** son of KMS, resident of.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying ***Application*** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

*Verified on Oath, 2024 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**IN THE COURT OF WORTHY SESSIONS JUDGE,**  
**LAHORE.**

Criminal Revision No. \_\_\_\_\_/2024

In re:-

**SAH Vs. The State etc.**

**I N D E X**

<b><i>Sr. No.</i></b>	<b><i>Description of Documents</i></b>	<b><i>Page</i></b>
1.	Revision Petition	
2.	Affidavit	
	Copy of FIR , Copy of Bail order	
3.	Copy of impugned order and relevant documents	

4.	Application for stay with affidavit	
5.	Power of attorney	

Petitioner

***Through***

**SMS**

Advocate High Court

**IN THE LAHORE HIGH COURT, LAHORE.**

**Transfer Application No.\_\_\_\_\_/2024**

**RA son of NM, resident of**

**Petitioner**

V E R S U S

1. ***The State.***

2. *ZH son of SM, resident of*

**Respondents**

**TRANSFER APPLICATION 526 CR.P.C FOR TRANSFER OF BAIL  
APPLICATION TO ANY OTHER COMPETENT COURT OF LAW.**

*Respectfully Sheweth:-*

1. That the addresses of the parties are correctly given in the head note of this Transfer Application for the purpose of services.
2. That the brief facts of the instant Transfer Application are that petitioner is accused of FIR No.802/22, offence under Section 452, 379, 376-iii PPC, Police Station Phalia District Mandi Baha-ud-Din. Copy of FIR is **Annexure-A**.
3. That the petitioner moved his pre-arrest bail alongwith other accused, which was entrusted to the court of SMY, Worthy ASJ, Phalia.
4. That the Worthy ASJ, vide order dated 18.03.2024 granted confirmed the bail application of the petitioner and accused Rafia Bibi was declared innocent during investigation and she took back her bail application and even signed the order but later on Worthy ASJ, himself cut down the order and

adjourned the case for 25.03.2024. Copy of order dated 18.03.2024 is **Annexure-B**.

5. That Worthy ASJ disclosed its mind in the open court and in above scenario the petitioner moved an application for transfer of the bail application to any other court of law.
6. That the application filed by the petitioner was dismissed vide impugned order dated 02.04.2024. Copy of order dated 02.04.2024 is **Annexure-C**.
7. That Worthy ASJ has disclosed its mind in open court and there is every likelihood that the bail application would not be decided on its merits.
8. That the petitioner will have to face an irreparable loss and injury in case the bail application is not transferred to any other competent court of law.
9. That it is in the interest of justice that the bail application of the petitioner may very kindly be transferred to any other competent court of law.

**PRAYER:**

**Under the above said circumstances it is, therefore, most respectfully prayed that Transfer Application in hand may kindly**

**be accepted, pre-arrest bail application filed by the petitioner  
may very kindly be entrusted to any other competent court of  
law for decision of court on merits.**

**Any other relief which this Hon'ble Court deems fit may also  
be awarded.**

Petitioner

Through

Advocate High Court

CNIC #  
Cell #

**CERTIFICATE:**

As per instruction of my client, this is the ***First Transfer Application*** on the subject cited above, before this Hon'able Court.

Advocate

**IN THE LAHORE HIGH COURT, LAHORE.**

**Transfer Application** No. \_\_\_\_\_/2024

*In re:*

**RA Vs. The State etc.**

**TRANSFER APPLICATION.**

**AFFIDAVIT OF:**      **RA** son of

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Transfer Application** may kindly be read as an integral part of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_ day of April, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M. No. \_\_\_\_\_/2024

IN

**Transfer Application** No. \_\_\_\_\_/2024

**In re:**

*RA Vs. The State etc.*

**APPLICATION UNDER SECTION 151 CPC FOR DISPENSING OF DOCUMENTS.**

**Respectfully Sheweth:-**

1. That the petitioner has filed the above titled Transfer Application alongwith copies of various documents, but certified copies of Annexures could not be filed.
2. That keeping in view the urgency of the matter it shall be appropriate to dispense with the filing of certified copy of annexures, and to entertain and decide the matter on merits.

**Under the above circumstances, it is, most respectfully prayed that filing of certified copy of Annexures may kindly be dispensed with and the Transfer Application may kindly be entertained and decided on merits in the interest of justice.**

Petitioner

Through

Advocate High Court

CNIC #  
Cell #

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M. No.\_\_\_\_\_/2024

IN

**Transfer Application** No.\_\_\_\_\_/2024

**In re:**

*RA Vs. The State etc.*

**APPLICATION UNDER SECTION 151 CPC FOR DISPENSING OF DOCUMENTS.**

**AFFIDAVIT OF:**      **RA** son of

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** may kindly be read as an integral part of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this     day of April, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

***Deponent***

**IN THE LAHORE HIGH COURT LAHORE.**

**Transfer Application** No. \_\_\_\_\_/2024

***In re:***

**RA              Vs.    The State etc.**

**I N D E X**

<b>S. #</b>	<b>DESCRIPTION OF DOCUMENT</b>	<b>DATED</b>	<b>PAGES</b>
<b>1.</b>	<i>Transfer Application with affidavit</i>		
<b>2.</b>			
<b>3.</b>			
<b>4.</b>			
<b>5.</b>			
	<i>Application for dispensation with affidavit</i>		
	<i>Application for stay with affidavit</i>		
	<i>Power of attorney.</i>		

Petitioner

Through

Advocate High Court  
CNIC #

IN THE COURT OF SESSIONS JUDGE, LAHORE.

*RB daughter of MR, resident of*

**Petitioner**

**V E R S U S**

1. **Station House Officer**, Police Station Sabzazar,  
Lahore.
2. MN son of Ahmad Din, MS son of Ahmad Din,
3. FR wife of Ahmad Din,
4. AsR son of not known
5. AR son of not known  
All residents of

**Respondents**

**Petition:** UNDER SECTION 22-A, 22-B Cr.P.C FOR  
ISSUANCE OF AN APPROPRIATE DIRECTION TO  
RESPONDENT NO.1 NOT TO HARASS THE  
PETITIONER ILLEGALLY, UNLAWFULLY ON THE  
BEHEST OF RESPONDENTS NO.2 TO 5.

***Respectfully Sheweth; -***

1. That the addresses of the parties are correct for the process of services summons/notices.
2. That the petitioner belongs to respectable family and is spending her peaceful life and have never been involved in any criminal activities, but respondent No.1 without any lawful justification, illegally and unlawfully harassing and blackmailing the petitioner at the instigation of the respondents No.2 to 5 without any cogent reason and without any lawful authority.
3. That the petitioner is not involved in any criminal activities and there is not a single complaint pending against the petitioner in any police station or authority etc.
4. That respondent No.1 alongwith their officials paid visit in the house of the petitioner illegally and unlawfully extended threats to

petitioner and said that they will arrest her and involve in false cases.

5. That respondent No.1 has no lawful authority to harass the petitioner and his family members without any justification, whereas she has filed a suit for dissolution of marriage against respondent No.2, which is pending in the court of FR, judge Family Court, Lahore and the next date of hearing is 06.01.2024. Copy of the suit is attached herewith for kind perusal of this Honourable Court.

6. That the said act of the respondents is highly condemnable and is punishable as per law, because as per Constitution of Islamic Republic of Pakistan, every citizen has a right to live and spent a peaceful and comfortable life.

7. That the petitioner is innocent lady but the respondents have intention to drag the

petitioner in series of false cases. Nobody detained the petitioner.

8. That the petitioner has no other adequate and efficacious remedy except to invoke the jurisdiction of this Hon'able Court.

**PRAYER:-**

*It is, therefore, most respectfully prayed that respondent No.1 may kindly be restrained from harassing, pressurizing, humiliating and blackmailing to the petitioner on the instigation of respondents No.2 to 5.*

*Any other relief which this Hon'able Court deems fit and appropriate may also be awarded.*

Petitioner

Through

**Counsel**

Dated: 04.01.2024

IN THE COURT OF SESSIONS JUDGE, LAHORE.

In re:

**RB Vs. SHO etc.**

Petition: UNDER SECTION 22-A, 22-B Cr.P.C.

AFFIDAVIT OF: **RB** daughter of MR, resident

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "**Petition**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

**Deponent**

VERIFICATION:-

Verified on Oath at Lahore this 04<sup>th</sup> day of January, 2024 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

**Deponent**

**IN THE LAHORE HIGH COURT LAHORE.**

**Writ Petition No.\_\_\_\_\_ /Q/2024**

**H**i daughter of

Petitioner

VERSUS

1. **Station House Officer**, Police Station \_\_\_\_\_, Lahore.
2. Investigating Officer, Police Station \_\_\_\_\_, Lahore.
- 3.
4. The State.

**Respondents**

**WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION  
OF ISLAMIC REPUBLIC OF PAKISTAN 1973 FOR QUASHING OF  
FIR NO.149/11, DATED 09.02.2011, OFFENCE UNDER  
SECTION 406 PPC, POLICE STATION SHERAKOT, LAHORE.**

Respectfully Sheweth;-

1. That the addresses of the parties are correctly given in the head note of this writ petition for the purpose of services.

2. That the above said false and bogus FIR was registered against the petitioner.
3. That the story narrated by respondent No.3 in his application for registration of case is totally baseless, otherwise no occurrence took place.
4. That the above mentioned FIR is false, frivolous and baseless and has been lodged by respondent No.3 just to harass and blackmail the petitioner.
5. That the petitioner is on pre-arrest bail.
6. That the petitioner seeks the quashment of the above said FIR on the following amongst other:-

#### **GROUNDS**

- a. That the impugned FIR is against the fact and not sustainable in the eyes of law.
- b. That respondent No.3 himself is guilty person for his fraudulent act and is liable to be proceeded under the relevant provisions of law.

- c. That it will be the sheer misuse and abuse of process of law in case the said false case is allowed to remain in the field to enhance the miseries of the petitioner.
  - d. That the charges are groundless and it is very likelihood that the prosecution will failed to established its case against the present petitioner.
  - e. That the abuse of process of court will be useless effort of the prosecution to involve the present petitioner.
  - f. That if, the instant FIR is not quashed the present petitioner shall suffer an irreparable loss and injury.
7. That under the peculiar facts and circumstances of the case the petitioner finds no alternate, adequate and efficacious remedy except to invoke the Constitutional Jurisdiction of this Hon'able Court.

***In view of the circumstances mentioned above, it is, therefore, most respectfully prayed that the FIR No.149/11, dated 09.02.2011, offence under section 406 PPC, Police Station Sherakot, Lahore may very kindly be quashed in the interest of justice and fair play.***

*It is further prayed that during the pendency of the writ petition the operation/proceedings of the above said impugned FIR may kindly be suspended and the respondent No.1 and 2 may kindly be directed not to harass and arrest the petitioner.*

*It is also further prayed that the registration of the above said FIR may kindly be declared illegal, unlawful, void ab-initio and unconstitutional having no value in the eye of law.*

*Any other relief which this Hon'able Court deems fit may also be awarded.*

Petitioner

Through

**MT**  
Advocate High Court  
CC#P-LH-18170

**CERTIFICATE:**

It is certified that this is the ***First Writ Petition/Quashment*** before this Hon'able Court on the subject matter.

Advocates.....

**IN THE LAHORE HIGH COURT LAHORE.**

**Writ Petition No.\_\_\_\_\_ /Q/2024**

In re:

Hi **Vs.** SHO etc.

(WRIT PETITION UNDER ARTICLE 199)

**AFFIDAVIT OF:**

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Writ Petition** may kindly be read as an integral part of this affidavit and nothing has been concealed therein.

*Deponent*

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_ day of February, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

*Deponent*

**IN THE LAHORE HIGH COURT LAHORE.**

C.M. No. \_\_\_\_\_/2024  
IN  
Writ Petition No. \_\_\_\_\_/Q/2024

In re:

Hi Vs. SHO etc.

**APPLICATION UNDER SECTION 561-A Cr.P.C FOR DISPENSING OF DOCUMENTS.**

**Respectfully Sheweth:-**

1. That the petitioner has filed the above titled writ petition alongwith copies of various documents, but certified copies of Annexures could not be filed.
2. That keeping in view the urgency of the matter it shall be appropriate to dispense with the filing of certified copy of annexures, and to entertain and decide the matter on merits.

*Under the above circumstances, it is, most respectfully prayed that filing of certified copy of Annexures may kindly be dispensed with and the writ petition may kindly be entertained and decided on merits in the interest of justice.*

**Petitioner**

Through

**MT**  
Advocate High Court  
CC#P-LH-18170



**IN THE LAHORE HIGH COURT LAHORE.**

C.M. No. \_\_\_\_\_/2024  
IN  
Writ Petition No. \_\_\_\_\_/Q/2024

In re:

Hi Vs. SHO etc.

**APPLICATION UNDER SECTION 561-A Cr.P.C FOR DISPENSING OF DOCUMENTS.**

**AFFIDAVIT OF:**      Hi

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying *Application* may kindly be read as an integral part of this affidavit and nothing has been concealed therein.

*Deponent*

**VERIFICATION:**

Verified on Oath at Lahore this     day of February, 2024  
that the contents of the above affidavit are true and correct to  
the best of my knowledge and belief.

***Deponent***

**IN THE LAHORE HIGH COURT LAHORE.**

C.M. No. \_\_\_\_\_/2024  
IN  
**Writ Petition No. \_\_\_\_\_/Q/2024**

In re:

**Hi Vs. SHO etc.**

**APPLICATION UNDER SECTION 561-A Cr.P.C.**

Respectfully Sheweth:-

1. That the petitioner has been filed above titled writ petition before this Hon'able Court, wherein no date of hearing has yet been fixed so far.
2. That the contents of the accompanying writ petition may kindly be read and considered as integral part of this application.
3. That the petitioner has got prima facie a good case in his favour and the balance of convenience lies in favour of the petitioner.
4. That the petitioner shall suffer an irreparable loss and injury if the operation/proceedings of the impugned FIR is not suspended.

***It is, therefore, most respectfully prayed that the operation/proceedings of the FIR in question may kindly be suspended/stayed till the disposal of the main writ petition.***

Petitioner

Through

**MT**  
Advocate High Court  
CC#P-LH-18170  
**IN THE LAHORE HIGH COURT LAHORE.**

C.M. No. \_\_\_\_\_/2024  
IN  
Writ Petition No. \_\_\_\_\_/**Q/2024**

In re:  
Hi **Vs.** SHO etc.

**APPLICATION UNDER SECTION 561-A Cr.P.C.**

**AFFIDAVIT OF:**      **Hina**

I the above named deponent do hereby solemnly affirm and declare  
as under:

That the contents of accompanying **Application** may kindly be read  
as an integral part of this affidavit and nothing has been concealed  
therein.

*Deponent*

**VERIFICATION:**

Verified on Oath at Lahore this     day of February, 2024  
that the contents of the above affidavit are true and correct to  
the best of my knowledge and belief.

***Deponent***

**IN THE LAHORE HIGH COURT LAHORE.**

**Writ Petition No.\_\_\_\_\_ /Q/2024**

In re:

Hi **Vs.** SHO etc.

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7.	<i>Application for dispensation with affidavit</i>		
8.	<i>Application for stay of proceedings with affidavit</i>		
9.	<i>Power of attorney</i>		

Petitioner

Through

**MT**  
Advocate High Court  
CC#P-LH-18170

**IN THE LAHORE HIGH COURT, LAHORE.**

Protective Bail Application No. \_\_\_\_\_ /2024

**MY** son of

***Petitioner***

**V E R S U S**

The State.

***Respondent***

**FIR No.**                   **Dated:**

**Offence:**               U/S

**Police Station:**

**APPLICATION U/S 498 Cr.P.C FOR PROTECTIVE PRE-ARREST**  
**BAIL.**

Respectfully Sheweth:-

1. That the petitioner has been falsely implicated in the above said FIR with malafide intention and ulterior motives just to harass and blackmail the petitioner.

(Copy of FIR is as **Annexure-A**).

2. That the petitioner seeks bail before arrest on the following amongst other;-

### **GROUNDS**

a. That the petitioner has been involved with malafide intention and ulterior motives just to blackmail and harass the petitioner and the FIR has been got registered with active collusiveness of local police who is behind the petitioner with a view to arrest him and which ultimately humiliate the petitioner in the society.

b. That the complainant has maneuvered a so-called false story which is also evident from its appearance and it is a matter of further probe.

- c. That the present FIR is the blackmailing weapon which is being used against the petitioner otherwise the petitioner has no concern with the alleged offence.
- d. That the petitioner has no previous record and he is a law abiding citizen of Pakistan.
- e. That if the local police succeeded to arrest the petitioner, the petitioner will be humiliated in the society.
- f. That there is no apprehension to abscond the petitioner and tampering with prosecution evidence.
- g. That the complainant party is forceful and criminal having league with local police therefore the petitioner's life and reputation is in danger going to **District** \_\_\_\_\_ for filing pre-arrest bail.
- h. That the petitioner is ready to join the investigation according to the order of this Hon'able Court.
- i. That the petitioner is ready to furnish the surety bond to the satisfaction of this Hon'able Court.

***It is, therefore, most respectfully prayed that the petitioner may kindly be admitted to the protective bail before arrest in the interest of justice.***

Petitioner

Through

**MMG**

Advocate High Court

CNIC #

Cell #

**CERTIFICATE:**

It is certified that this is **1<sup>st</sup> Protective Bail Petition** in this Hon'able Court on the subject matter.

Advocate

**IN THE LAHORE HIGH COURT, LAHORE.**

Protective Bail Application No. \_\_\_\_\_/2024

*In re:*

MY                    **Vs.**      The State

**APPLICATION U/S 498 Cr.P.C FOR PROTECTIVE PRE-ARREST  
BAIL.**

**AFFIDAVIT OF:**

*I the above named deponent do hereby solemnly affirm and declare as under:*

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this day of January, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M No. \_\_\_\_\_ /2024  
In  
Protective Bail application No. \_\_\_\_\_ /2024

*In re:*

MY                  **Vs.**      The State

**APPLICATION UNDER SECTION 561-A CR.P.C FOR DISPENSATION  
OF FILING OF CERTIFIED / STAMPED COPY OF ANNEXURE-A.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled protective bail application, but certified / stamped copies of Annexure-A could not be filed.
2. That keeping in view the urgency of the matter it shall be appropriate to dispense with the filing of certified / stamped copy of Annexure-A, and to entertain and decide the matter on merits and the petitioners undertakes to produce certificated / stamped copy of Annexure-A and when ordered by this Hon'able Court.

**Under the above circumstances, it is, most respectfully  
prayed that filing of certified / stamped copy of Annexure-A may  
kindly be dispensed with and the protective bail application may  
kindly be entertained and may kindly be decide on merits in the  
interest of justice.**

Petitioner

Through

**MMG**

Advocate High Court  
CNIC #  
Cell #

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M No.\_\_\_\_\_ /2024

In

Protective Bail application No.\_\_\_\_\_ /2024

*In re:*

MY                  **Vs.**    The State

**APPLICATION UNDER SECTION 561-A CR.P.C FOR DISPENSATION  
OF FILING OF CERTIFIED / STAMPED COPY OF ANNEXURE-A.**

**AFFIDAVIT OF:**      MY

I, the above named deponent, do hereby solemnly affirm and declare on oath as under:

That the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this     day of January, 2024  
that the contents of the above affidavit are true and correct to  
the best of my knowledge and belief and nothing has been  
concealed therein.

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

Protective Bail application No. \_\_\_\_\_/2024

*In re:*

MY    **Vs.**   The State

**INDEX**

<b>Sr.#</b>	<b>Description of Document</b>	<b>Dated</b>	<b>Pages</b>
1.	Protective Bail petition		
2.	Affidavit		
3.	Copy of FIR is <u>Annexure-A.</u>		
4.	Application for dispensation with affidavit		
5.	Power of attorney		

Petitioner

Through

**MMG**  
Advocate High Court

CNIC #  
Cell #

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

Bail Petition No. \_\_\_\_\_/2023

**Jason** son of

resident of

**PETITIONER**  
**VERSUS**

**The State**

**RESPONDENT**

**Case FIR No.** \_\_\_\_\_ **Dated:** \_\_\_\_\_  
**Offence:** U/S \_\_\_\_\_ PPC  
**Police Station:** \_\_\_\_\_, Lahore.

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF**  
**PRE-ARREST BAIL.**

**RESPECTFULLY SHEWETH:**

1. That the above said false, frivolous and baseless FIR was got registered alleging the allegation as mentioned in the FIR.

Copy of the FIR is attached herewith for the kind perusal of this Honourable Court.

2. That the petitioner is quite innocent and is entitled to the grant of pre-arrest bail, inter-alia on the following:

### **GROUND**

a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.

b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.

- c. That even otherwise it is a settled principle of natural justice “bail not jail” and “Justice should be substantive and not technical” and the petitioner is on the mercy of this Hon’able Court.
- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.
- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner’s absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.

- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.
- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.
- i. That the petitioner is ready to join the investigation as and when required by the police.
- j. That other grounds will be agitated at the time of arguments.
- k. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

*In view of the above submissions, it is respectfully and humbly prayed that this petition may kindly be accepted and the petitioner may very kindly be granted pre-arrest bail till the decision of the case.*

*It is, further prayed that ad-interim bail may also be allowed to the petitioner.*

***PETITIONER***

*Through*

***MT***  
*Advocate High Court*

**CERTIFICATE:**

*As per instruction, this is the 1<sup>st</sup> **Petition** on the subject matter.*

**ADVOCATE**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

Jason                              **Vs.**    The State

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:**                      Jason son of

I the above named deponent solemnly affirm and declare on Oath as under:

That the contents of the accompanying **Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this day of October, 2023*

*that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**BEFORE THE JUDICIAL MAGISTRATE, POLICE STATION  
ICHHRA, LAHORE.**

**B.A** No.....B/2024

SA son of MNUB, resident of House No

**PETITIONER**  
**VERSUS**

The State

**RESPONDENT**

=====

Case FIR No.1084/23      Dated: 31.03.2023  
Offence: U/S 324,337F6 PPC  
Police Station: Ichhra, Lahore.

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

***Respectfully Sheweth;:-***

1. That the above titled false, frivolous and baseless FIR had been got registered with malafide intention and ulterior motives with the active connivance of the local police who have joined hands with each other just to humiliate the petitioner. Copy of the FIR is attached as **Annexure-A**.
2. That the petitioner is entitled for bail, inter-alia on the following amongst other;-

**GROUNDS**

- a. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been

falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.

- b. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.
- c. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.
- d. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.
- e. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.
- f. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
- g. That the petitioner is respectable citizen and belongs to a respectable family.
- h. That the other grounds will be submitted at the time of arguments.
- i. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon’able Court.

**PRAYER:**

*It is therefore, most respectfully prayed that  
the petitioner may very graciously be released on  
post-arrest bail in the keen interest of justice.*

**PETITIONER**

**Through**

**AKB**  
Advocate High Court

**KMA**  
Advocate High Court

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**A D V O C A T E**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**NK** son of **IK** resident of

**Petitioner**

**V E R S U S**

1. **Station House Officer,**
2. RSI Police Station

**Respondents**

**Petition:** UNDER SECTION 22-A, 22-B Cr.P.C FOR  
ISSUANCE OF AN APPROPRIATE DIRECTION TO  
RESPONDENTS NO.1&2 NOT TO HARASS THE  
PETITIONER AND HIS FAMILY MEMBERS  
ILLEGALLY, UNLAWFULLY.

**Respectfully Sheweth; -**

1. That the addresses of the parties are correct for the process of services summons/notices.
2. That the petitioner belongs to respectable family and is spending his peaceful life and have never been involved in any criminal activities, but respondents No.1&2 without any lawful justification, illegally and unlawfully

harassing and blackmailing the petitioner and his family members for blackmailing and grabbing the amount from the petitioner and his family members.

3. That the petitioner is not involved in any criminal activities and there is not a single complaint pending against the petitioner in any police station or authority etc.
4. That on 12.12.2023 at 4PM respondents No.1&2 alongwith their other police men paid visit in the house of the petitioner illegally and unlawfully extended threats to petitioner and his family members and said that they will arrest him and involve in false cases. Respondent No.2 on that time also have drunk the cannabis/bhang and he was also shouting without any reason.
5. That respondents No.1&2 have no lawful authority to harass the petitioner and his family members without any justification, whereas there is no

criminal proceedings are pending against the petitioner, so the above said acts of respondents No.1&2 is totally against law and natural justice.

6. That the said act of the respondents is highly condemnable and is punishable as per law, because as per Constitution of Islamic Republic of Pakistan, every citizen has a right to live and spent a peaceful and comfortable life.
7. That the petitioner is innocent person but the respondent has intention to drag the petitioner in series of false cases.
8. That the petitioner has no other adequate and efficacious remedy except to invoke the jurisdiction of this Hon'able Court.

**PRAYER:-**

***It is, therefore, most respectfully prayed that  
respondents No.1&2 may kindly be restrained from***

*harassing, pressurizing, humiliating and blackmailing to the petitioner and his family members.*

*Any other relief which this Hon'able Court deems fit and appropriate may also be awarded.*

Petitioner

Through

**KM**  
Advocate High Court  
Aiwan-e-Adal, Lahore.

Dated: 13.12.2023.

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

**NK Vs. SHO etc.**

Petition: UNDER SECTION 22-A, 22-B Cr.P.C.

**AFFIDAVIT OF:** ***NK son of IK resident of***

*I the above named deponent do hereby solemnly affirm and declare as under:*

*That the contents of accompanying "Petition" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**VERIFICATION:-**

Verified on Oath at Lahore this     day of December, 2023 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2024

**NARB** son of TUK, resident of

**PETITIONER**

*Versus*

1. **The State**

2. **Complainant** son of \_\_\_\_\_

**RESPONDENTS**

=====

**FIR No.**6563/23                   **Dated:** 21.12.2023

**Offence under Section:** 489-F PPC

**Police Station:** North Cantt., Lahore.

=====

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

*Respectfully Sheweth:*

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent No.2 with malafide intention and ulterior motives, alleging the allegations as mentioned in the FIR. Copy of the FIR is attached herewith for kind perusal of this Hon'able Court as

**ANNEXURE-A.**

2. That the petitioner moved his pre-arrest bail application before Sessions Judge, Lahore and the same was entrusted to Mr. Mian Shahid Javed, Worthy ASJ, Lahore, who dismissed the same in a slipshod manner on 24.02.2024 without considering the facts, circumstances, material available on record and law laid down. Copy of the bail application and impugned order is attached as

**ANNEXURE-B.**

3. That the petitioner is quite innocent and has no nexus with alleged offence, allegation and occurrence, even otherwise no offence is made out against the present petitioner, hence the petitioner seeks pre-arrest bail inter-alia on the following:

**G R O U N D S**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.
- b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.
- c. That even otherwise it is a settled principle of natural justice “bail not jail” and “Justice should be substantive and not technical” and the petitioner is on the mercy of this Hon’able Court.
- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide

intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.

- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner's absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.
- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.

- i. That the petitioner is ready to join the investigation as and when required by the police.
- j. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

***In view of the above narrated facts and circumstances, it is, therefore, most respectfully and humbly prayed that bail application in hand may kindly be accepted and petitioner be allowed pre-arrest bail till the final decision of the above said case.***

***Meanwhile ad-interim bail may also be granted.***

**PETITIONER**

Through

**SAQ**  
Advocate High Court

**CERTIFICATE:**

*As per information provided by my client this is the **1<sup>st</sup> bail application** before this Hon'able Court.*

**ADVOCATE**

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2024

In re:

NARB **Vs.** The State etc.

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:** NARB son of TUK, resident of I, the above named deponent, do hereby solemnly affirm and declare on Oath as under:

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_\_ day of February, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M No.\_\_\_\_\_B/2024

*In*

*Crl. Misc. No.....B/2024*

In re:

NARB      **Vs.**    The State etc.

(PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL)

**APPLICATION    UNDER    SECTION    561-A    CR.P.C    FOR**  
**DISPENSATION    OF    FILING    OF    CERTIFIED    COPIES    OF    SOME**  
**ANNEXURE.**

*Respectfully Sheweth:*

1. That the petitioner has filed the aforementioned bail petition before this Hon'able Court which is fixed for today.
2. That the petitioner has filed photo state copies of some Annexure-with the bail petition and will produce the original/ attested ones when made available.

***It is, therefore, most respectfully prayed that  
meanwhile production of original / attested  
documents may very kindly be dispensed with.***

**PETITIONER**

Through

**SAQ**  
Advocate High Court

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M No. \_\_\_\_\_ B/2024

In

Crl. Misc. No..... B/2024

In re:

NARB      **Vs.**    The State etc.

(PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL)

**APPLICATION UNDER SECTION 561-A CR.P.C FOR  
DISPENSATION OF FILING OF CERTIFIED COPIES OF SOME  
ANNEXURE.**

**AFFIDAVIT OF:**      **NARB** son of TUK, resident of

I, the above named deponent, do hereby solemnly affirm and declare on Oath as under:

1. That the petitioner has filed the aforementioned bail petition before this Hon'able Court which is fixed for today.
2. That the petitioner has filed photo state copies of some Annexure-with the bail petition and will produce the original / attested ones when made available.

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_\_ day of February, 2024 that the contents of the above affidavit are true and correct to the

*best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2024

In re:

NARB      **Vs.**    The State etc.

**I N D E X**

<b>Sr. #</b>	<b>Description</b>	<b>Dated</b>	<b>Pag e #</b>
1.	<i>Bail petition alongwith affidavit</i>		
2.	<i>Copy of the FIR ANNEXURE-A.</i>		
3.	<i>Copy of the bail application and impugned order is ANNEXURE-B.</i>		
4.			
5.			
6.	<i>Application for dispensation alongwith affidavit</i>		
7.	<i>Power of Attorney</i>		

**PETITIONER**

Through

**SAQ**

Advocate High Court

CNIC # \_\_\_\_\_

Cell # \_\_\_\_\_

**BEFORE THE SPECIAL JUDGE, CENTRAL-I, LAHORE.**

**B.A No.....B/2023**

NUD son of SUD, present confined Lahore.

**PETITIONER**

**VERSUS**

The State

**RESPONDENT**

=====

Case FIR No.526/23

Dated: 01.12.2023

Offence: U/S 14-Foreigner Act 1946

Police Station:

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

***Respectfully Sheweth:-***

1. That the above titled false, frivolous and baseless FIR had been got registered with malafide intention and ulterior motives with the active connivance of the local police who have joined hands with each other just to humiliate the petitioner. Copy of the FIR is attached as **Annexure-A**.
2. That the petitioner is entitled for bail, inter-alia on the following amongst other;-

**GROUNDS**

- a. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- b. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.
- c. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.

- d. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.
- e. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.
- f. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
- g. That the petitioner is respectable citizen and belongs to a respectable family.
- h. That the other grounds will be submitted at the time of arguments.
- i. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon'able Court.

**PRAYER:**

***It is therefore, most respectfully prayed that  
the petitioner may very graciously be released on  
post-arrest bail in the keen interest of justice.***

**PETITIONER**

**Through**

**HMM**

Advocate High Court

**ABC**

Advocate High Court

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**A D V O C A T E**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

***MN** daughter of MA, resident of*

Petitioner  
VERSUS

1. Station House Officer, .
2. MA son of RA, Caste Khokhar,
3. SA son of MA,
4. MAR son of Ri,
5. MARA son of RA,  
All residents of

Respondents

PETITION UNDER SECTION 22-A, 22-B Cr.P.C. TO RESTRAIN THE RESPONDENT NO.1 FROM HARASSING, PRESSURIZING, HUMILIATING AND BLACKMAILING THE PETITIONER AND HER HUSBAND ON THE BEHEST OF RESPONDENT NO.2 TO 5 IN ANY MANNER WHATSOEVER.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant petition before this Hon'able Court are that the petitioner is an adult, Sui juris and young girl. She being a Muslim lady by exercising her legal and constitutional rights contracted marriage with one SR son of MA according to Muslim Rites on 05.12.2023 and she is living with her husband happily, peacefully and is enjoying her matrimonial life. Copy of the Nikahnama is attached herewith as Annexure-A.
2. That the petitioner has left her parents' house with her own freewill and did not bring any thing from the aforesaid house except the cloths that she had worn.

3. That the petitioner and her husband are living as a spouse together with their own freewill and consent at the above said address, given in the title petition. The petitioner and her husband are leading a happy and cordial life and there is no difference between the petitioner and her husband, the husband of the petitioner is taking due care and providing all the comforts of life.
4. That the petitioner being adult have ability and legally entitled to decide her own fair and things and can decide her matters of life, therefore, she being adult and sane lady entered into valid married contract with her husband in presence of witnesses and with her free will and without any coercion, so she is legal wedded wife of her husband namely SA of MA and living with him with her free will and wish, as she has right to lead her life according to his choice being adult sui jurice and no body has any right to interfere into their matrimonial life and have no right to restrained them from living together. Whereas the respondent No.1 with the connivance of the respondent No.2 to 5 is creating undue harassment, obstacles and hurdles in their smooth life.
5. That the petitioner has told the fact of her marriage to the respondent No.1 that she has married with SA of MA as per her free will and nobody has forced to do so and abducted her and she never took any thing from her parents' house, thus she being sui juris and adult has

right and legally entitled to do so, so respondent No.1 should not create any kind of harassment for the petitioner and her husband to disturb their matrimonial life but the respondent No.1 on behalf of respondents No.2 to 5 is adamant to do so and creating undue illegal and harassment against them and their family members malafide with ulterior motives, hence this petition.

6. That the respondent No.1 has joining hands with respondent No.2 to 5, alongwith some police officials raided at the house of husband of the petitioner to threatened the petitioner's husband to give divorce to the petitioner and otherwise they will involve him in criminal case and the respondent No.1 will register a criminal case against him and her husband's family members.
7. That the petitioner and her husband are very innocence persons and law abiding citizens of Islamic Republic of Pakistan; petitioner cannot face the police officials and respondent No.1.
8. That the respondent No.1 is giving threats of dire consequences if the petitioner's husband not give the divorce to the petitioner he will not spare the husband of the petitioner and his family members.
9. That the petitioner has no other speedy remedy except to invoke the jurisdiction of this Hon'able Court.

**PRAYER:**

It is, therefore, most humbly prayed that the respondents may kindly be directed to restrain from the illegal harass to the petitioner and her husband and his family members and it is further prayed that the respondent No.1 may kindly be restrained to interfering in petitioner's and her husband matrimonial life on behalf of the respondent No.2 to 5.

Any other relief, which this Honourable Court deems fit may also be ordered.

**Petitioner**

Through

RSU

Advocate High Court

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

MN Vs. SHO etc.

PETITION UNDER SECTION 22-A, 22-B Cr.P.C.

**AFFIDAVIT OF:** MN daughter of MA, resident

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying Petition are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this 05<sup>th</sup> day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

**IN THE LAHORE HIGH COURT, LAHORE.**

Criminal Appeal No. \_\_\_\_\_/2024

**NA** son of GA,

*....Appellant*

**V E R S U S**

1. **AA** son of *MA*
2. **MS** son of *MA*
3. **MA** son of *M.A.*,
4. **MI** son of *AI*, resident of  
**The State.**

*....Respondents*

**CRIMINAL APPEAL UNDER SECTION 417 CR.P.C AGAINST THE JUDGMENT DATED 25.11.2023 PASSED BY ADDITIONAL SESSIONS JUDGE, PHALIA.**

***Respectfully Sheweth:-***

1. That brief facts leading to the present criminal appeal are that the appellant alongwith his brother was owner in possession land measuring 14-Kanals through the partition Mutation No.2233, dated 11.03.2011 and on 21.05.2015, through warrant of the possession, the possession of the land was handed over to the appellant of the Khewat No.65, Khatouni No.148, Muraba No.34, Khasra No.21/20, land measuring 17-Marlas, Khasra No.22, land measuring 7-Kanals,

09-Marlas, Khasra No.19/1, land measuring 05-Kanals, 7-Marlas, Muraba No.40, Khasra No.6/1, land measuring 5-Marlas, situated at Mago Pindi, Tehsil Phalia. The appellant was cultivating the said land with peaceful manner.

2. That on 02.06.2020 at 10:00-AM, when the appellant was cultivating his land, suddenly the respondents No.1 to 4 with unknowns 6-persons, armed with deadly weapons, with mutual understanding, with tractor, came at the property, shortly, dispossessed the appellant from the property. The appellant also informed through telephone call on 15 Helpline, the police also came at the spot, which had already connected with the accused persons, arrested the appellant etc. and took away in the police station. The police also NAvE the free hand to the accused persons for occupying the land of the appellant.
3. That the appellant also submitted the application to the local police but no action was taken on the said application.
4. That the appellant filed the complaint under Section 3 IlleNAL Dispossession Act 2005 and mentioned the detailed of the occurrence in the said complaint. The accused persons were summoned and the report was also called from the local

police, charge was framed against the accused persons. The appellant also produced the evidence oral as well as documentary. The said complaint was dismissed vide judgment dated 25.11.2023, the accused persons were acquitted. Copy of the complaint & judgment dated 25.11.2023 as **Annexures-A&B**. Copy of the oral evidence Annexed as **Annexure-C**. Copy of the application for providing the possession as **Annexure-D**. Copy of the warrant possession as **Annexure-E**. Copy of the Possession Report as **Annexure-F**. Copy of the order calling report from police as **Annexure-G**. Copy of the Revenue Reports as **Annexure-H**. Copy of the relevant documents as **Annexure-I**.

5. That the impugned judgment dated 25.11.2023 is illegal and unlawful and appellant wants to seek the setting aside on the following amongst other:-

### **G R O U N D S**

- (a) That the impugned judgment dated 25.11.2023 is illegal and unlawful and the case was not decided according to the spirit of the law.

- (b) That the learned Additional Sessions Judge, Phalia failed to appreciate the oral as well as documentary evidence presented by the appellant and deliberately suppressed the facts of the case in judgment dated 25.11.2023.
- (c) That the possession was handed over on 21.05.2023 by the concerned Tehsildar Phalia through concerned NAr dor, concerned Patwari in the presence of the accused persons Azam etc., presence of the ASI QZ, Police Station Phalia, Lumberdar FM, MN. The said documents was given in the documentary evidence and also was discussed in evidence. The Learned Addl. Sessions Judge ignored this document. This document was not discussed in the judgment dated 25.11.2023 for giving the illeNAL benefits to the accused persons.
- (d) That the learned Addl. Sessions Judge dismissed the complaint on the basis of the reports which was developed by the police through the Revenue Officer, in which it was stated that the possession was handed over to the appellant by the Revenue Officer on 21.05.2015 but the possession was not given on the spot by the

accused persons. The Learned Addl. Sessions Judge failed to take the action aNAinst the local police and Revenue Officer on such kind of the corrupted report and explanation was not called by the Learned Addl. Sessions Judge on such kind of the report only to give the illeNAL benefits to the accused persons.

- (e) That it is admitted fact that the appellant alongwith his brother etc. was owner in possession of the disputed property, it was admitted fact that the possession was handed over to the appellant in partition proceedings, it was admitted fact at the time of the filing the complaint under Section 3 IlleNAL Dispossession Act 2005, the accused were in the possession of the said land without any ownership. It was admitted fact that the all appeals have been dismissed in partition proceedings of the accused persons but inspite that the appellant was deprived and dispossessed from the property owned by the appellant and no action has been taken aNAinst the culprits due to their political influence and financial approach. The Learned Addl. Sessions Judge failed to

provide the justice to the appellant and committed injustice with the appellant.

- (f) That the all witnesses were constant with their statements and there were no contradiction between the statement of the appellant as well as his witnesses but the Learned Addl. Sessions Judge, Phalia intentionally misconstrued and misconceived the evidence of the appellant and deliberately wrongly interpreted the evidence of the appellant only to give the illeNAL benefits to the accused persons.
- (g) That the Learned Addl. Sessions Judge, Phalia has no ability to decide the case on its merits and he had the lack of the knowledge of the concern law and also committed the corrupted practice to give the illeNAL benefits to the land Mafia/ culprits.
- (h) That the impugned judgment dated 25.11.2023 is result of the misreading and non-reading and Learned Addl. Session Judge, Phalia deliberately closed his eyes from the facts and law, on the basis of which, the appellant could be awarded the redress and justice and he went in the net of the culprits.
- (i) That the impugned judgment dated 25.11.20213 should be set-aside and the possession should be handed over to the appellant.

- (j) That the appellant has no other remedy except to file the instant appeal.

*Under the above mentioned circumstances, it is, therefore, respectfully prayed that the judgment dated 25.11.2023 passed by Learned Addl. Session Judge, Phalia may kindly be set-aside and appeal may kindly be accepted and the possession of the property may kindly be given to the appellant.*

*Any other relief which this Honourable Court deems fit may also be awarded.*

Appellant

**Through**

**KM**  
Advocate High Court

**NOTE:** This is the **First Revision Petition** aNAinst the order.

Advocate  
**IN THE LAHORE HIGH COURT, LAHORE.**

Criminal Appeal No. \_\_\_\_\_ /2024

In re:

NA Vs. AA etc.

(CRIMINAL APPEAL)

**AFFIDAVIT OF:** **NA** son of GA, Caste Malik, resident of Mago Pindi, Tehsil Phalia, District Mandi Baha-ud-Din.

I the above named deponent solemnly affirm and declare on Oath as under:

That the contents of the accompanying "**Criminal Appeal**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

**DEPONENT**

**VERIFICATION:**

Verified on Oath at Lahore this     day of January, 2024  
that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

**DEPONENT**

**IN THE LAHORE HIGH COURT, LAHORE.**

In re:-

NA Vs. AA etc.

(CRIMINAL APPEAL)

**APPLICATION UNDER SECTIONS 4, 5 & 12 OF LIMITATION ACT  
FOR CONDONATION OF DELAY IN FILING THE TITLED APPEAL.**

Respectfully Sheweth;-

1. That the applicant has filed the titled appeal in this Honourable Court, which is yet to be fixed for hearing.
2. That the contents of the appeal may kindly be read as integral part of this application.
3. That the appellant has filed the titled appeal with some delay due to some unavoidable circumstances as elucidated in the accompanying appeal, time spent in the getting attested copy, closing the court due to annual winter holidays and these days may kindly be excluded and poor health of the appellant and if delay (if any) in filing the titled appeal is not condoned, the appellant shall suffer an irreparable loss and injury, therefore, the

applicant may very kindly be condoned the delay (if any) in filing the titled appeal in the interest of justice.

**Under the above circumstances, it is, most respectfully prayed that by accepting this application delay (if any) in filing the appeal may very kindly be condoned in the interest of justice.**

**Any other relief which this Honourable Court deems fit may also be awarded.**

Appellant / Applicant

**Through**

**KM**

**IN THE LAHORE HIGH COURT, LAHORE.**

In re:

NA Vs. AA etc.

(CRIMINAL APPEAL)

**APPLICATION UNDER SECTIONS 4, 5 & 12 OF LIMITATION ACT FOR CONDONATION OF DELAY IN FILING THE TITLED APPEAL.**

**AFFIDAVIT OF:** **NA** son of GA, Caste Malik, resident of Mago Pindi, Tehsil Phalia, District Mandi Baha-ud-Din.

I the above named deponent solemnly affirm and declare on Oath as under:

That the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

**DEPONENT**

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_ day of January, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

**DEPONENT**

**IN THE LAHORE HIGH COURT, LAHORE.**

Criminal Appeal No. \_\_\_\_\_/2024

In re:

NA Vs. AA etc.

(CRIMINAL APPEAL)

## **I N D E X**

S. #	DESCRIPTION OF DOCUMENT	DATED	PAGES
1.	Criminal Revision with affidavit		
2.	Copy of the complaint & judgment dated 25.11.2023 as <b><u>Annexures-A&amp;B.</u></b>		
3.	Copy of the oral evidence Annexed as <b><u>Annexure-C.</u></b>		
4.	Copy of the application for providing the possession as <b><u>Annexure-D.</u></b>		
5.	Copy of the warrant possession as <b><u>Annexure-E.</u></b>		
6.	Copy of the Possession Report as <b><u>Annexure-F.</u></b>		
7.	Copy of the order calling report from police as <b><u>Annexure-G.</u></b>		
8.	Copy of the Revenue Reports as <b><u>Annexure-H.</u></b>		
9.	Copy of the relevant documents as <b><u>Annexure-I.</u></b>		
10.	Application for condone limitation with affidavit		
	Power of attorney.		

Appellant

**Through**

**KM**  
Advocate High Court

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**NB** wife of HM, resident of

**Petitioner**

V E R S U S

**Station House Officer**, Police Station

**Respondent**

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

Respectfully Sheweth;-

1. That the addresses of the parties mentioned in the caption of the petition are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the petitioner alongwith an Application Diary No.\_\_\_\_\_, Dated \_\_\_\_\_ approached the respondent to take legal action against the accused persons and to take the cognizance in accordance with law for registration of the case but the respondent rather to register

the case is continuously delaying the matter on one pretext or the other. Copy of the application is attached herewith for the kind perusal of this Hon'able Court. The contents of application for registration of case may kindly be read as integral part of this petition.

3. That it is the statutory duty of the respondent to take the cognizance Under Section 154 Cr.P.C when an information has been received with regard the commission of an offence and to record the statement in the relevant book and set the law in motion and also to lodge the FIR in the first instance but the respondent is still acting beyond his limits and powers and has not acted in accordance with law.
4. That the public functionaries are legally bound to do in accordance with law and it is statutory duty of the respondent to lodge the FIR and then to investigate the matter on merits but neither the FIR has been lodged nor the action has been taken and accused persons are still causing illegal harassments towards the petitioner.
5. That it is categorically explained observation/ direction of the Powers Ex-officio Justice of Peace and also duties of the respondent which is reproduced below;-

**PLD 2007 SUPREME COURT 539**

**“154. information in cognizable cases every information relating to the commission of a COGNIZABLE OFFENCE if given orally to an Officer Incharge of a Police Station SHALL be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid shall be signed by the persons giving it, and the substance thereof shall be entered in a book to**

be kept by such officer in such forum as the Provincial Government may prescribe in this behalf”

“155. Information in non-cognizable cases (1) When information is given to an Officer Incharge of a Police Station of the commission within the limits of such station of a NON COGNIZABLE OFFENCE, he SHALL enter in a book to be kept as aforesaid the substance of such information and refer the informant to the Magistrate.”

**THAT THE PRINCIPLE LAID DOWN IN PLD 2007 SC 539 “a,b”.**  
Powers conferred under S.22-A (6) Cr.P.C on ex-officio justice of peace – scope and extent – only jurisdiction which could be exercised by an Ex-Officio Justice Of Peace under S.22-A (6) Cr.P.C was to examine whether the information disclosed by the applicant did or did not constitute a cognizable offence and if it did then to direct the concerned SHO to record an FIR without going into the veracity of the information in question, and no more – offering any other interpretation of S.22-A (6) Cr.P.C would be doing violence to entire scheme of Criminal Procedure Code, 1898 which could not be permitted – principles – legislative history of institution of Ex-Officio Justice Of Peace and powers conferred on them, traced.

**THAT THE PRINCIPLE LAID DOWN IN 2010 P CR.L. J 296 Lahore.**

Station House Officer concerned was directed by High Court to record statement of petitioner under S.154 Cr.P.C and handover the copy of the FIR to the petitioner without any delay.

(The Emphasis and underlining is ours).

6. That under Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 the rights of the individual to be dealt within accordance with law and it is the duty of the public functionaries to act in good faith, honesty and within persistent of its powers that persons concerned should be treated in accordance with law as guaranteed by Article 4 of the

Constitution of the Islamic Republic of Pakistan, 1973 and it is necessary that the respondent has to take the cognizance under the relevant law and in order to set the law in motion and he is legally bound to register the FIR.

7. That if this Hon'able Court does not direct to the respondent to register a criminal case against the culprits the petitioner shall suffer an irreparable loss and injury.
8. That the petitioner has left with no other alternative, speedy and efficacious remedy except to prefer the present petition.

**PRAYER:**

*In view of the submissions made above, it is therefore, most respectfully prayed that the respondent may very kindly be directed to register a criminal case against the accused persons according to application moved by the petitioner and may also be directed to do in accordance with law in the interest of justice, equity and fair play.*

*Any other relief which this Hon'able Court deems fit and appropriate in the circumstances of the case may also be awarded.*

**Petitioner**

Through

**ZA**  
Advocate High Court



**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

NB **Vs.** SHO

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

**AFFIDAVIT OF:**      **NB** wife of HM, resident of

I the above named deponent do hereby solemnly affirm and declare  
as under:

That the contents of accompanying ***Petition*** may kindly be read as  
an integral part of this affidavit and nothing has been concealed therein, all  
the contents are true and correct.

Deponent

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_ day of April, 2024 that the contents of  
the above affidavit are true and correct to the best of my knowledge and  
belief.

Deponent

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

Bail Petition No. \_\_\_\_\_/2023

**NH alias J** son of SH, resident of.

**PETITIONER**

**VERSUS**

**The State**

**RESPONDENT**

**Case FIR No.**4992/23

**Dated:** 30.11.2023

**Offence:** U/S 462-I PPC

**Police Station:**

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**RESPECTFULLY SHEWETH:**

1. That the above said false, frivolous and baseless FIR was got registered alleging the allegation as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Honourable Court.

2. That the meter is installed vide Reference No.1111311235101 in the name of Safia Begum whereas, the complainant has involved the present petitioner due to critical affiliation.
3. That the petitioner is quite innocent and is entitled to the grant of pre-arrest bail, inter-alia on the following:

**GROUNDS**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.
- b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.
- c. That even otherwise it is a settled principle of natural justice "bail not jail" and "Justice should be substantive and not technical" and the petitioner is on the mercy of this Hon'able Court.
- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.
- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner's absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the

- above said case with malafide intention and ulterior motives.
- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.
  - i. That the petitioner is ready to join the investigation as and when required by the police.
  - j. That other grounds will be agitated at the time of arguments.
  - k. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

*In view of the above submissions, it is respectfully and humbly prayed that this petition may kindly be accepted and the petitioner may very kindly be granted pre-arrest bail till the decision of the case.*

*It is, further prayed that ad-interim bail may also be allowed to the petitioner.*

**PETITIONER**

*Through*

**SIA**

*Advocate High Court*

**CERTIFICATE:**

*As per instruction, this is the **1<sup>st</sup> Petition** on the subject matter.*

**ADVOCATE**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

NH                   **Vs.**     The State

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:**       **NH alias J** son of SH, resident of

I the above named deponent solemnly affirm and declare on Oath  
as under:

That the contents of the accompanying **Petition** are true and  
correct to the best of my knowledge and belief and nothing has been  
concealed therein.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this 06<sup>th</sup> day of December,*

*2023 that the contents of the above affidavit are true and  
correct to the best of my knowledge and belief and  
nothing has been concealed therein.*

***Deponent***

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

Bail Petition No. \_\_\_\_\_ /2024

**MNA** son of MN, resident of

**PETITIONER**  
**VERSUS**

**The State**

**RESPONDENT**

**Case FIR No.** 185/24

**Dated:** 17.01.2024

**Offence:** U/S 462-J PPC

**Police Station:**

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**RESPECTFULLY SHEWETH:**

1. That the above said false, frivolous and baseless FIR was got registered alleging the allegation as mentioned in the FIR.

Copy of the FIR is attached herewith for the kind perusal of this Honourable Court.

2. That the petitioner is quite innocent and is entitled to the grant of pre-arrest bail, inter-alia on the following:

**GROUNDS**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.
- b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.
- c. That even otherwise it is a settled principle of natural justice “bail not jail” and “Justice should be substantive

and not technical” and the petitioner is on the mercy of this Hon’able Court.

- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.
- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner’s absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.

- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.
- i. That the petitioner is ready to join the investigation as and when required by the police.
- j. That other grounds will be agitated at the time of arguments.
- k. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

*In view of the above submissions, it is respectfully and humbly prayed that this petition may kindly be accepted and the petitioner may very kindly be granted pre-arrest bail till the decision of the case.*

*It is, further prayed that ad-interim bail may also be allowed to the petitioner.*

***PETITIONER***

*Through*

***MT***  
*Advocate High Court*

## **CERTIFICATE:**

*As per instruction, this is the 1<sup>st</sup> **Petition** on the subject matter.*

**ADVOCATE**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

## MNA                                  Vs. The State

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:** **MNA** son of MN, resident of

I the above named deponent solemnly affirm and declare on Oath  
as under:

That the contents of the accompanying **Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this 22<sup>nd</sup> day of January,*

*2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**IN THE COURT OF WORTHY ADDITIONAL SESSION  
JUDGE, LAHORE.**

**B.A No.....B/2023**

MH son of MA resident of (Present confined in \_\_\_\_\_ Jail, Lahore)

**PETITIONER**  
**VERSUS**

The State

**RESPONDENT**

=====

Case FIR No.3267/23  
Offence: U/S 380PPC  
Police Station:

Dated: 19.08.2023

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

***Respectfully Sheweth;***

1. That the above titled false, frivolous and baseless FIR had been got registered with malafide intention and ulterior motives with the active connivance of the local police who have joined hands with each other just to humiliate the petitioner.

Copy of the FIR is attached as **Annexure-A.**

2. That the petitioner is entitled for bail, inter-alia on the following amongst other;-

**GROUNDS**

- a. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- b. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.
- c. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.
- d. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved

in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.

- e. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.
- f. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
- g. That the petitioner is respectable citizen and belongs to a respectable family.
- h. That the other grounds will be submitted at the time of arguments.
- i. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon’able Court.

**PRAYER:**

*It is therefore, most respectfully prayed that  
the petitioner may very graciously be released on  
post-arrest bail in the keen interest of justice.*

**PETITIONER**

**Through**

**NG**  
Advocate High Court

**CERTIFICATE:-**

*As per information provided by my client, this is the **Second Petition** on the subject matter cited above in this Honourable Court.*

**A D V O C A T E**  
**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**MS** widow of GS, resident of

**PETITIONER**  
**VERSUS**

**The State**

**RESPONDENT**

**Case FIR No.25/2024      Dated:** 21.01.2024

**Offence:** U/S 462- I PPC

**Police Station:** Tibi City, Lahore.

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**RESPECTFULLY SHEWETH:**

1. That the above said false, frivolous and baseless FIR was got registered alleging the allegation as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Honourable Court.
2. That the petitioner is quite innocent and is entitled to the grant of pre-arrest bail, inter-alia on the following:

**GROUNDS**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.
- b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.

- c. That even otherwise it is a settled principle of natural justice “bail not jail” and “Justice should be substantive and not technical” and the petitioner is on the mercy of this Hon’able Court.
- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.
- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner’s absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.
- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.
- i. That the petitioner is ready to join the investigation as and when required by the police.
- j. That other grounds will be agitated at the time of arguments.
- k. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

***In view of the above submissions, it is***

***respectfully and humbly prayed that this***

*petition may kindly be accepted and the  
petitioner may very kindly be granted  
pre-arrest bail till the decision of the case.*

*It is, further prayed that ad-interim bail  
may also be allowed to the petitioner.*

**PETITIONER**  
*In person*

**CERTIFICATE:**

*As per instruction, this is the 1<sup>st</sup> **Petition** on the subject matter.*

**ADVOCATE**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

MS              **Vs.**    The State

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:**      **MS** widow of GS, resident of

I the above named deponent solemnly affirm and declare on Oath  
as under:

That the contents of the accompanying **Petition** are true and  
correct to the best of my knowledge and belief and nothing has been  
concealed therein.

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this **07<sup>th</sup> day of March, 2024**

*that the contents of the above affidavit are true and*

*correct to the best of my knowledge and belief and  
nothing has been concealed therein.*

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

**Crl. Misc. No.....-B/2023**

**MS** daughter of Shakeel Ahmad, Caste Shah, resident of

**PETITIONER**

*Versus*

1. **The State**

2. **Waqas Rafiq SI**, Police Station Gulshan Ravi, Lahore.

**RESPONDENTS**

=====

**FIR No.2743/23**

**Dated:** 17.11.2023

**Offence under Section:** 9(1)1b CNSA 1997

**Police Station:** Gulshan Ravi, Lahore.

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

*Respectfully Sheweth:*

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent No.2 with malafide intention and ulterior motives, alleging the allegations as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Hon'able Court as **ANNEXURE-A**.
2. That the petitioner moved his post arrest bail before Ms. Shumaila Yaqoob, Additional District and Sessions Judge which was dismissed on 06.12.2022 without considering the facts, circumstances and material available on record. Copies of bail petition and impugned order and bail application are attached herewith for the kind perusal of this Honourable Court as **ANNEXURE-B&B1**.
3. That the petitioner is innocent and is no more required to the police, hence seeks post-arrest bail inter alia on the following:

**G R O U N D S**

- a. That the petitioner is law abiding lady, the petitioner is absolutely innocent in the said case, whereas she has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth

mentioning here that the whole version of FIR itself makes the case that of further inquiry.

- b. That the petitioner has nothing to do with the alleged offence and previous convicted, hence entitled for the relief of bail.
- c. That the allegation against the petitioner that the petitioner had possessed 1520-grams Bhung is totally false and fabricated, the recovery which was shown is planted one.
- d. That the petitioner never involved in such like cases, nor she ever think to possess or sell of narcotics drugs.
- e. That there is a family dispute between petitioner and her husband and her husband is informer/spy of local police, whose instigation, the local police involved the petitioner in the above said case for ulterior motives with malafide intention.
- f. That there is no independent witness of the occurrence.
- g. That the petitioner has a suckling baby and without mother/petitioner, life of the suckling baby is in great danger.
- h. That the alleged offence leveled against the petitioner does not fall in the prohibitory clause and therefore, the petitioner is entitled for concession of bail but this fact was ignored by the learned trial court while deciding the bail petition of the petitioner.

- i. That the petitioner is behind the bars since her arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.
- j. That there is no apprehension of petitioner’s abscondance or tampering with the prosecution evidence.
- k. That other grounds will be agitated at the time of arguments.
- l. That the petitioner is ready to furnish surety bond for the entire satisfaction of this Honourable Court.

**PRAYER:**

*In view of the above submissions and circumstances, it is, therefore, most respectfully and humbly prayed that the application in hand may kindly be accepted and petitioner may very kindly be allowed post arrest bail till the final decision of case.*

**PETITIONER**

Through

**ZA**

Advocate High Court

CNIC #

Cell #

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**ADVOCATE**

**IN THE LAHORE HIGH COURT, LAHORE.**

**Crl. Misc. No.....-B/2023**

In re:

**MS Vs. The State etc.**

**I N D E X**

<b>Sr. No.</b>	<b>Description</b>	<b>Dated</b>	<b>Page No.</b>
1.	Bail petition		1 – 4
2.	Copy of the FIR is <u>ANNEXURE-A.</u>		
3.	Copy of bail petition & order are <u>Annexure-B&amp;B1.</u>	06.12.2023	
4.	Power of Attorney		

**PETITIONER**

Through

**ZA**  
Advocate High Court

CNIC #  
Cell #

**IN THE COURT OF WORTHY SESSIONS JUDGE,**  
**LAHORE.**

Criminal Revision No. \_\_\_\_\_/2024

**KA** son of AS, Caste Malik, resident of

....**Petitioners**

**V E R S U S**

1. **The State.**
2. **Learned Judicial Magistrate, Police Station North Cantt, Lahore.**
3. **AL** son of LA, resident of

....**Respondents**

**CRIMINAL REVISION PETITION AGAINST THE ORDER DATED**  
**07.01.2024 PASSED BY DUTY MAGISTRATE, LAHORE CANTT.**

**Respectfully Sheweth:-**

1. That brief facts leading to the present revision petition are that the respondent No.3 got lodged FIR No.3811/23, dated 05.09.2023 Offence 392 PPC, P.S. North Cantt., Lahore against the three unknown persons.
2. That respondent No.2 vide order dated 07.01.2024 granting 13-days of the petitioner for the Identification parade of the petitioner which is against the law and facts and liable to be set-aside on the following amongst other;-

### **G R O U N D S**

- a. That on 29.12.2023, Investigation Officer arrested the revision petition and did not incorporated his arrest in Daily Rapt Roznamcha.
- b. That on 07.01.2024, brother-in-law of the petitioner filed habeas petition before the Learned ASJ, Lahore, wherein, bailiff was deputed by the court to recover the petitioner. It is important to mention here that when the bailiff of the Honourable Court visited CIA, Organized Crime Unit for recovery of petitioner, whereas, on 06.01.2024 officials of the CIA incorporated name of the petitioner in false and frivolous above mentioned FIR and incorporated the name of the

petitioner in their Daily Rapt Roznamcha dated 06.01.2024. It is suffice to point out that on 07.01.2024, Investigation Officer presented the petitioner before Learned Magistrate for getting his remand. Wherein, Learned Magistrate granting 13-days remand of the petitioner for the purpose of identification parade of the petitioner.

- c. That the petitioner is well reputed goldsmith and running his business in the gold market.
- d. That petitioner is non previous record holder and nothing to do with the instant case. It is important to mention here that due to grudge of deputing the bailiff, Officials of CIA deliberately with the connivance of respondent No.3 involved the petitioner in the above said FIR.
- e. That the officials of CIA P.S North Cantt., Lahore presented the accused before the Learned Duty Magistrate Cantt., Courts, Lahore without counsel of the petitioner.
- f. That the order dated 07.01.2024 is against the law and actual facts.
- g. That the Judicial Magistrate has not taken into consideration the facts of the case and law on the subject in particular in its

true perspective and has pass the impugned order without applying the judicial mind, therefore, the impugned order is liable to be set-aside.

- h. That the impugned order is result of surmises and conjectures.
- i. That the impugned order is nullity in the eyes of law.
- j. That the impugned order is harsh in nature, so the same has no value in the eyes of law.

***Under the above mentioned circumstances, it is, therefore, respectfully prayed that the order dated 07.01.2024 passed by Duty Magistrate, Cantt., Lahore may kindly be set-aside and petitioner may kindly be set at liberty in the interest of justice and equity.***

***Any other relief which this Honourable Court deems fit may also be awarded.***

Petitioner

***Through***

**RKK**  
Advocate High Court

***RMN***  
Advocate High Court

**NOTE:** This is the **First Revision Petition** against the order.

Advocate

**IN THE COURT OF WORTHY SESSIONS JUDGE,**  
**LAHORE.**

Criminal Revision No. \_\_\_\_\_/2024

In re:-

**KA Vs. The State etc.**

**I N D E X**

<b>Sr. No.</b>	<b>Description of Documents</b>	<b>Page</b>
1.	Revision Petition	
2.	Copy of FIR	
3.	Copy of impugned order and relevant documents	
4.	Power of attorney	

Petitioner

***Through***

**RKK**  
Advocate High Court

**RMN**  
Advocate High Court

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2024

1. MJS son of Shahid Hussain
2. MA son of Shahid Hussain
3. MT son of Khalid Hussain  
residents of
4. AA son of Muhammad Din  
resident

**PETITIONERS**

*Versus*

1. The State.
2. AAK son of KM resident of

**Respondents**

FIR No.529/24

Dated: 25.01.2024

Offence under Section: 337-A3 PPC  
Police Station: Kot Lakhpat, Lahore.

=====

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF PRE-ARREST BAIL.**

***Respectfully Sheweth:***

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent No.2 with malafide intention and ulterior motives, alleging the allegations as mentioned in the FIR. Copy of the FIR is attached herewith for kind perusal of this Hon'able Court as ANNEXURE-A.
2. That this Bail Petition in this Hon'able Court on the subject matter, 1<sup>st</sup> Protective Bail Petition Crl.Misc. No.7602-B/2024 was filed and was granted from 01.02.2024 to 10.02.2024. Copy of bail application and order is Annexure-B.
3. That the petitioners is quite innocent and has no nexus with alleged offence, allegation and occurrence, even otherwise no offence is made out against the present petitioners, hence the petitioners seeks pre-arrest bail inter-alia on the following:

**G R O U N D S**

- a. That the petitioners have been involved with malafide intention and ulterior motives just to blackmail and harass the petitioners and the FIR has been got registered with active collusiveness of local police who is behind the petitioners with a view to arrest them and which ultimately humiliate the petitioners in the society.
- b. That the complainant has maneuvered a so-called false story which is also evident from its appearance and it is a matter of further probe.
- c. That the present FIR is the blackmailing weapon which is being used against the petitioners otherwise the petitioners have no concern with the alleged offence.
- d. That the petitioners have no previous record and petitioners are a law abiding citizen of Pakistan.

- e. That if the local police succeeded to arrest the petitioners, the petitioners will be humiliated in the society.
- f. That there is no apprehension to abscond the petitioners and tampering with prosecution evidence.
- g. That the diary branch as well as sessions court Lahore is closed due to certain issues, therefore, the petitioners cannot approach to the concerned court, thus the protective bail may be granted, the petitioners due to apprehension of arrest are filing present bail application in the Honourable Court.
- h. That the petitioners are ready to join the investigation according to the order of this Hon'able Court.
- i. That the petitioners are ready to furnish the surety bond to the satisfaction of this Hon'able Court.

**PRAYER:**

*In view of the above narrated facts and circumstances, it is, therefore, most respectfully and humbly prayed that bail application in hand may kindly be accepted and petitioners be allowed pre-arrest bail till the final decision of the above said case.*

*Meanwhile ad-interim bail may also be granted.*

**PETITIONERS**

*Through:*

**SAB  
Advocate High Court  
Attorneys-at-law  
MARA**

**CERTIFICATE:**

***As per information provided by my client this is the 1<sup>st</sup> bail application  
before this Hon'able Court.***

**ADVOCATE**

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2024

In re:

**MJS etc. Vs. The State etc.**

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF PRE-ARREST BAIL.**

**AFFIDAVIT OF:** MJS son of Shahid Hussain, resident of

I, the above named deponent, do hereby solemnly affirm and declare on

Oath as under:

*Deponent*

**VERIFICATION:**

*Verified on Oath at Lahore this \_\_\_\_\_ day of February, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

*Deponent*

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2024

In re:

MJS etc. Vs. The State etc.

**INDEX**

<b>Sr. #</b>	<b>Description</b>	<b>Dated</b>	<b>Page #</b>
1.	<i>Bail petition alongwith affidavit</i>		
2.	<i>Copy of the FIR ANNEXURE-A.</i>		
3.	<i>Copy of the bail application and impugned order is ANNEXURE-B.</i>		
4.			
5.			
6.			
7.	<i>Power of Attorney</i>		

**PETITIONERS**

*Through:*

**SAB  
Advocate High Court  
Attorneys-at-law**

**MARA**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

Bail Petition No. \_\_\_\_\_/2023

**MIG** son of GA, resident of

**PETITIONER**  
**VERSUS**

**The State**

**RESPONDENT**

**Case FIR No.** 4220/23

**Dated:** 12.12.2023

**Offence:** U/S 462-J PPC

**Police Station:** Sanda, Lahore.

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**RESPECTFULLY SHEWETH:**

1. That the above said false, frivolous and baseless FIR was got registered alleging the allegation as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Honourable Court.
2. That the petitioner is quite innocent and is entitled to the grant of pre-arrest bail, inter-alia on the following:

**GROUNDS**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.
- b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the

complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.

- c. That even otherwise it is a settled principle of natural justice "bail not jail" and "Justice should be substantive and not technical" and the petitioner is on the mercy of this Hon'able Court.
- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.
- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner's absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.
- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.
- i. That the petitioner is ready to join the investigation as and when required by the police.
- j. That other grounds will be agitated at the time of arguments.
- k. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

*In view of the above submissions, it is respectfully and humbly prayed that this petition may kindly be accepted and the petitioner may very kindly be granted pre-arrest bail till the decision of the case.*

*It is, further prayed that ad-interim bail may also be allowed to the petitioner.*

**PETITIONER**

*Through*

**TC**  
*Advocate High Court*

**CERTIFICATE:**

*As per instruction, this is the 1<sup>st</sup> **Petition** on the subject matter.*

**ADVOCATE**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

MIG              Vs.    The State

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:** **MIG** son of GA, resident of.

I the above named deponent solemnly affirm and declare on Oath as under:

That the contents of the accompanying **Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this 13<sup>th</sup> day December,*

*2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

*MIA son of MA, resident of*

**Petitioner**

**V E R S U S**

1. **Station House Officer**, Police Station
2. AB son of AA
3. WB resident of
4. AAA
5. SA son of HPA
6. AG son of not known
7. QB son of not known
8. HS son of AL
9. UF  
residents of

**Respondents**

**Petition:** UNDER SECTION 22-A, 22-B CR.P.C FOR ISSUANCE OF AN APPROPRIATE DIRECTION TO RESPONDENTS NO.1 NOT TO HARASS THE PETITIONER AND HIS FAMILY MEMBERS ILLEGALLY, UNLAWFULLY ON THE INSTIGATION OF RESPONDENTS NO.2 TO 8.

***Respectfully Sheweth;:-***

1. That the addresses of the parties are correct for the process of services summons/notices.

2. That the petitioner belongs to respectable family and is spending his peaceful life and have never been involved in any criminal activities, but respondent No.1 without any lawful justification, illegally and unlawfully harassing and blackmailing the petitioner and his family members (**MRA, MA, EA, mother BB**) on the instigation of respondents No.2 to 8.
3. That it is suffice to point out that respondents No.2 to 8 are residing in the same vicinity, they are harassing the petitioner and his family members without any just reason and justification, while as per law they have no justification to do so, respondents No.2 to 8 are continuously extending threats.
4. That the petitioner is not involved in any criminal activities and there is not a single complaint pending against the petitioner in any police station or authority etc.
5. That respondents used to come in the house and use to harass the petitioner and respondent No.1 is also not take any plausible steps.
6. That respondents No.1 has no lawful authority to harass the petitioner and his family members without any justification, whereas there is no criminal proceedings are pending against the petitioner, so the above said acts of respondents are totally against law and natural justice.
7. That the said act of the respondents is highly condemnable and is punishable as per law, because as per Constitution of Islamic Republic of Pakistan, every citizen has a right to live and spent a peaceful and comfortable life.
8. That the petitioner is innocent person but the respondent has intention to drag the petitioner in series of false cases.
9. That the petitioner has no other adequate and efficacious remedy except to invoke the jurisdiction of this Hon'able Court.

**PRAYER:-**

*It is, therefore, most respectfully prayed that respondents may kindly be restrained from harassing, pressurizing, humiliating and blackmailing to the petitioner and his family members.*

*Any other relief which this Hon'able Court deems fit and appropriate may also be awarded.*

*Petitioner*

*Through*

**MIM**  
Advocate High Court  
61-The Mall, Lahore.

**Dated: 15.01.2023.**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

**MIA Vs. SHO etc.**

Petition: UNDER SECTION 22-A, 22-B Cr.P.C.

**AFFIDAVIT OF:** *MIA son of IK resident of*

*I the above named deponent do hereby solemnly affirm and declare as under:*

*That the contents of accompanying “Petition” are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

*Deponent*

**VERIFICATION:-**

Verified on Oath at Lahore this \_\_\_\_ day of December, 2023 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

*Deponent*

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**IA** son of GA, resident of

**Petitioner**

V E R S U S

**Station House Officer**, Police Station

**Respondent**

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

Respectfully Sheweth:-

1. That the addresses of the parties mentioned in the caption of the petition are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the petitioner alongwith an Application Diary No.143, approached the respondent to take legal action against the accused persons and to take the cognizance in accordance with law for registration of the case but the respondent rather to register the case is continuously delaying the matter on one pretext or the other. Copy of the application is attached

herewith for the kind perusal of this Hon'able Court. The contents of application for registration of case may kindly be read as integral part of this petition.

3. That it is the statutory duty of the respondent to take the cognizance Under Section 154 Cr.P.C when an information has been received with regard the commission of an offence and to record the statement in the relevant book and set the law in motion and also to lodge the FIR in the first instance but the respondent is still acting beyond his limits and powers and has not acted in accordance with law.
4. That the public functionaries are legally bound to do in accordance with law and it is statutory duty of the respondent to lodge the FIR and then to investigate the matter on merits but neither the FIR has been lodged nor the action has been taken and accused persons are still causing illegal harassments towards the petitioner.
5. That it is categorically explained observation/ direction of the Powers Ex-officio Justice of Peace and also duties of the respondent which is reproduced below;—

**PLD 2007 SUPREME COURT 539**

**“154. information in cognizable cases every information relating to the commission of a COGNIZABLE OFFENCE if given orally to an Officer Incharge of a Police Station SHALL be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid shall be signed by the persons giving it, and the substance thereof shall be entered in a book to be kept by such officer in such forum as the Provincial Government may prescribe in this behalf”**

**“155. Information in non-cognizable cases (1) When information is given to an Officer Incharge of a Police Station of the commission within the limits of such station of a NON COGNIZABLE OFFENCE, he SHALL enter in a book to be kept as aforesaid the substance of such information and refer the informant to the Magistrate.”**

**THAT THE PRINCIPLE LAID DOWN IN PLD 2007 SC 539 “a,b”. Powers conferred under S.22-A (6) Cr.P.C on ex-officio justice of peace – scope and extent – only jurisdiction which could be exercised by an Ex-Officio Justice Of Peace under S.22-A (6) Cr.P.C was to examine whether the information disclosed by the applicant did or did not constitute a cognizable offence and if it did then to direct the concerned SHO to record an FIR without going into the veracity of the information in question, and no more – offering any other interpretation of S.22-A (6) Cr.P.C would be doing violence to entire scheme of Criminal Procedure Code, 1898 which could not be permitted – principles – legislative history of institution of Ex-Officio Justice Of Peace and powers conferred on them, traced.**

**THAT THE PRINCIPLE LAID DOWN IN 2010 P CR.L. J 296 Lahore.**

**Station House Officer concerned was directed by High Court to record statement of petitioner under S.154 Cr.P.C and handover the copy of the FIR to the petitioner without any delay.**

**(The Emphasis and underlining is ours).**

6. That under Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 the rights of the individual to be dealt within accordance with law and it is the duty of the public functionaries to act in good faith, honesty and within persistent of its powers that persons concerned should be treated in accordance with law as guaranteed by Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 and it is

necessary that the respondent has to take the cognizance under the relevant law and in order to set the law in motion and he is legally bound to register the FIR.

7. That if this Hon'able Court does not direct to the respondent to register a criminal case against the culprits the petitioner shall suffer an irreparable loss and injury.
8. That the petitioner has left with no other alternative, speedy and efficacious remedy except to prefer the present petition.

**PRAYER:**

*In view of the submissions made above, it is therefore, most respectfully prayed that the respondent may very kindly be directed to register a criminal case against the accused persons according to application moved by the petitioner and may also be directed to do in accordance with law in the interest of justice, equity and fair play.*

*Any other relief which this Hon'able Court deems fit and appropriate in the circumstances of the case may also be awarded.*

**Petitioner**

Through

**MIK**  
Advocate High Court

**RTAK**

Advocate High Court

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

IA Vs. SHO

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

**AFFIDAVIT OF:** IA son of GA, resident of

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying ***Petition*** may kindly be read as an integral part of this affidavit and nothing has been concealed therein, all the contents are true and correct.

Deponent

**VERIFICATION:**

Verified on Oath at Lahore this **11<sup>th</sup> day of March, 2024** that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

Deponent

**IN THE LAHORE HIGH COURT, LAHORE.**

**Crl. Misc. No...../B/2023**

**Barbara** son of

**PETITIONER**

*Versus*

1. **The State**

2. **Complainant** son of \_\_\_\_\_

**RESPONDENTS**

=====

**FIR No.** \_\_\_\_\_

**Dated:**

**Offence under Section:**

**Police Station:**

=====

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

*Respectfully Sheweth:*

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent

No.2 with malafide intention and ulterior motives, alleging the allegations as mentioned in the FIR. Copy of the FIR is attached herewith for kind perusal of this Hon'able Court as

**ANNEXURE-A.**

2. That the petitioner moved his pre-arrest bail application before Sessions Judge, Lahore and the same was entrusted to Mr. \_\_\_\_\_, Worthy ASJ, \_\_\_\_, who dismissed the same in a slipshod manner on \_\_\_\_\_ without considering the facts, circumstances, material available on record and law laid down. Copy of the bail application and impugned order is attached as **ANNEXURE-B.**
3. That the petitioner is quite innocent and has no nexus with alleged offence, allegation and occurrence, even otherwise no offence is made out against the present petitioner, hence the petitioner seeks pre-arrest bail inter-alia on the following:

**G R O U N D S**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present

complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.

- b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.
- c. That even otherwise it is a settled principle of natural justice “bail not jail” and “Justice should be substantive and not technical” and the petitioner is on the mercy of this Hon’able Court.
- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide intention and no useful purpose would be served by keeping petitioner behind the bar because the case is

covered under section 2 of section 497 falling further inquiry.

- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner's absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.
- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.
- i. That the petitioner is ready to join the investigation as and when required by the police.

j. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

***In view of the above narrated facts and circumstances, it is, therefore, most respectfully and humbly prayed that bail application in hand may kindly be accepted and petitioner be allowed pre-arrest bail till the final decision of the above said case.***

***Meanwhile ad-interim bail may also be granted.***

**PETITIONER**

Through

Advocate High Court

**CERTIFICATE:**

***As per information provided by my client this is the 1<sup>st</sup> bail application before this Hon'able Court.***

**ADVOCATE**

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2023

In re:

Barbara **Vs.** The State etc.

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:**

I, the above named deponent, do hereby solemnly affirm and declare on Oath as under:

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_\_ day of April, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M No.\_\_\_\_\_B/2023

*In*

*Crl. Misc. No.....B/2023*

In re:

Barbara **Vs.** The State etc.

(PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL)

**APPLICATION UNDER SECTION 561-A CR.P.C FOR  
DISPENSATION OF FILING OF CERTIFIED COPIES OF SOME  
ANNEXURE.**

*Respectfully Sheweth:*

1. That the petitioner has filed the aforementioned bail petition before this Hon'able Court which is fixed for today.
2. That the petitioner has filed photo state copies of some Annexure-with the bail petition and will produce the original/ attested ones when are made available.

***It is, therefore, most respectfully prayed that  
meanwhile production of original / attested  
documents may very kindly be dispensed with.***

**PETITIONER**

Through

Advocate High Court

**IN THE LAHORE HIGH COURT, LAHORE.**

C.M No. \_\_\_\_\_ B/2023  
In  
Crl. Misc. No. .... B/2023

In re:

Barbara **Vs.** The State etc.

(PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL)

**APPLICATION UNDER SECTION 561-A CR.P.C FOR**  
**DISPENSATION OF FILING OF CERTIFIED COPIES OF SOME**  
**ANNEXURE.**

**AFFIDAVIT OF:**

I, the above named deponent, do hereby solemnly affirm and declare on Oath as under:

1. That the petitioner has filed the aforementioned bail petition before this Hon'able Court which is fixed for today.
2. That the petitioner has filed photo state copies of some Annexure-with the bail petition and will produce the original / attested ones when made available.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this      day of April, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2023

In re:

Barbara **Vs.** The State etc.

**I N D E X**

<b>Sr. #</b>	<b>Description</b>	<b>Dated</b>	<b>Page #</b>
1.	<i>Bail petition alongwith affidavit</i>		
2.	<i>Copy of the FIR ANNEXURE-A.</i>		
3.	<i>Copy of the bail application and impugned order is ANNEXURE-B.</i>		
4.			
5.			
6.	<i>Application for dispensation alongwith affidavit</i>		
7.	<i>Power of Attorney</i>		

**PETITIONER**

Through

\_\_\_\_\_  
Advocate High Court  
CNIC # \_\_\_\_\_  
Cell # \_\_\_\_\_

**BEFORE THE COURT OF ADDITIONAL SESSIONS JUDGE,**  
**LAHORE.**

B.A No.....B/2024

**HR** son of \_\_\_\_\_, resident of

**PETITIONER**  
**VERSUS**

The State

**RESPONDENT**

**FIR No.850/23**                   **Dated:**  
**Offence under Section:** 9-I 3-C

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF BAIL**  
**AFTER ARREST.**

*Respectfully Sheweth:-*

1. That the above titled false, frivolous and baseless FIR had been got registered with malafide intention and ulterior motives with the active

connivance of the local police who have joined hands with each other just to humiliate the petitioner. Copy of the FIR is attached as Annexure-A.

2. That the petitioner is entitled for bail, inter-alia on the following amongst other:-

### **GROUND**

- a. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- b. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.
- c. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.
- d. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.
- e. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be

- punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.
- f. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
  - g. That the petitioner is respectable citizen and belongs to a respectable family.
  - h. That the other grounds will be submitted at the time of arguments.
  - i. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon’able Court.

**PRAYER:**

*It is therefore, most respectfully prayed that the petitioner may very graciously be released on post-arrest bail in the keen interest of justice.*

**PETITIONER**

**Through**

**HSSA**  
Advocate High Court

**WKD**  
Advocate High Court

**SJHS**

Advocate High Court

**CERTIFICATE:-**

*As per information provided by my client, this is the First Petition on the subject matter cited above in this Honourable Court.*

**A D V O C A T E**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**HA** son of TA, resident of

**Petitioner**  
V E R S U S

**Station House Officer**, Police Station South Cantt.

**Respondent**

**PETITION UNDER SECTION 22-A & 22-B CR.P.C FOR THE  
REGISTRATION OF CASE AGAINST (1) IZH SON OF SZA, RESIDENT  
OF**

Respectfully Sheweth;-

1. That the addresses of the parties mentioned in the caption of the petition are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the petitioner alongwith an Application Diary No.SC-3/22/2023-5949, Dated 22.03.2023 approached the respondent to take legal action against the accused persons and to take the cognizance in accordance with law for registration of the case but the respondent rather to register the case is continuously delaying the matter on one pretext or the other. Copy of the application is attached herewith for the kind perusal of this Hon'able Court. The contents of application for registration of case may kindly be read as integral part of this petition.
3. That it is the statutory duty of the respondent to take the cognizance Under Section 154 Cr.P.C when an information has been received with regard the commission of an offence and to record the statement in the relevant book and set the law in motion and also to lodge the FIR in the first instance but the respondent is still acting beyond his limits and powers and has not acted in accordance with law.
4. That the public functionaries are legally bound to do in accordance with law and it is statutory duty of the respondent to lodge the FIR and then to investigate the matter on merits but neither the FIR has been lodged nor the action has been taken and accused persons are still causing illegal harassments towards the petitioner.
5. That it is categorically explained observation/ direction of the Powers Ex-officio Justice of Peace and also duties of the respondent which is reproduced below:-

“154. information in cognizable cases every information relating to the commission of a COGNIZABLE OFFENCE if given orally to an Officer Incharge of a Police Station SHALL be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid shall be signed by the persons giving it, and the substance thereof shall be entered in a book to be kept by such officer in such forum as the Provincial Government may prescribe in this behalf”

“155. Information in non-cognizable cases (1) When information is given to an Officer Incharge of a Police Station of the commission within the limits of such station of a NON COGNIZABLE OFFENCE, he SHALL enter in a book to be kept as aforesaid the substance of such information and refer the informant to the Magistrate.”

THAT THE PRINCIPLE LAID DOWN IN PLD 2007 SC 539 “a,b”.

Powers conferred under S.22-A (6) Cr.P.C on ex-officio justice of peace – scope and extent – only jurisdiction which could be exercised by an Ex-Officio Justice Of Peace under S.22-A (6) Cr.P.C was to examine whether the information disclosed by the applicant did or did not constitute a cognizable offence and if it did then to direct the concerned SHO to record an FIR without going into the veracity of the information in question, and no more – offering any other interpretation of S.22-A (6) Cr.P.C would be doing violence to entire scheme of Criminal Procedure Code, 1898 which could not be permitted – principles – legislative history of institution of Ex-Officio Justice Of Peace and powers conferred on them, traced.

THAT THE PRINCIPLE LAID DOWN IN 2010 P CR.L. J 296 Lahore.

**Station House Officer concerned was directed by High Court to record statement of petitioner under S.154 Cr.P.C and handover the copy of the FIR to the petitioner without any delay.**

**(The Emphasis and underlining is ours).**

6. That under Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 the rights of the individual to be dealt within accordance with law and it is the duty of the public functionaries to act in good faith, honesty and within persistent of its powers that persons concerned should be treated in accordance with law as guaranteed by Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 and it is necessary that the respondent has to take the cognizance under the relevant law and in order to set the law in motion and he is legally bound to register the FIR.
7. That if this Hon'able Court does not direct to the respondent to register a criminal case against the culprits the petitioner shall suffer an irreparable loss and injury.
8. That the petitioner has left with no other alternative, speedy and efficacious remedy except to prefer the present petition.

**PRAYER:**

*In view of the submissions made above, it is therefore, most respectfully prayed that the respondent may very kindly be directed to register a criminal case against the accused persons according to application moved by the petitioner and may also be directed to do in accordance with law in the interest of justice, equity and fair play.*

*Any other relief which this Hon'able Court deems fit and appropriate in the circumstances of the case may also be awarded.*

**Petitioner**

Through

**MSC**  
Advocate High Court

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

HA **Vs.** SHO

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

**AFFIDAVIT OF:** **HA** son of TA, resident of

I the above named deponent do hereby solemnly affirm and declare  
as under:

That the contents of accompanying ***Petition*** may kindly be read as  
an integral part of this affidavit and nothing has been concealed therein, all  
the contents are true and correct.

Deponent

**VERIFICATION:**

Verified on Oath at Lahore this 9<sup>th</sup> day of April, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

Deponent

IN THE COURT OF SESSIONS JUDGE, LAHORE.

*Mst. Barbara son of*

**Petitioner**

**V E R S U S**

1. **Station House Officer, Police Station \_\_\_\_\_,**  
Lahore.
2. \_\_\_\_\_

**Respondents**

**Petition:** UNDER SECTION 22-A, 22-B Cr.P.C FOR  
ISSUANCE OF AN APPROPRIATE DIRECTION TO  
RESPONDENTS NO.1&2 NOT TO HARASS THE  
PETITIONER AND HIS FAMILY MEMBERS  
ILLEGALLY, UNLAWFULLY ON THE BEHEST OF  
RESPONDENTS NO.3 TO 5.

***Respectfully Sheweth; -***

1. That the addresses of the parties are correct for the process of services summons/notices.
2. That the petitioner belongs to respectable family and is spending his peaceful life and have never been involved in any criminal activities, but respondents No.1&2 without any lawful justification, illegally and unlawfully harassing and blackmailing the petitioner and his family members at the instigation of the respondents No.3 to 5 without any cogent reason and without any lawful authority.
3. That the petitioner is not involved in any criminal activities and there is not a single complaint pending against the petitioner in any police station or authority etc.
4. That respondents No.1&2 alongwith their officials paid visit in the house of the petitioner illegally and unlawfully extended threats to petitioner and his family members and

said that they will arrest him and involve in false cases.

5. That respondents No.1&2 have no lawful authority to harass the petitioner and his family members without any justification, whereas there is no criminal proceedings are pending against the petitioner, so the above said acts of respondents No.1&2 is totally against law and natural justice.
6. That the said act of the respondents is highly condemnable and is punishable as per law, because as per Constitution of Islamic Republic of Pakistan, every citizen has a right to live and spent a peaceful and comfortable life.
7. That the petitioner is innocent person but the respondent has intention to drag the petitioner in series of false cases.

8. That the petitioner has no other adequate and efficacious remedy except to invoke the jurisdiction of this Hon'able Court.

**PRAYER:-**

*It is, therefore, most respectfully prayed that respondents No.1&2 may kindly be restrained from harassing, pressurizing, humiliating and blackmailing to the petitioner and his family members on the instigation of respondent No.3 to 5.*

*Any other relief which this Hon'able Court deems fit and appropriate may also be awarded.*

Petitioner

Through

**Counsel**

Advocate High Court  
Aiwan-e-Adal, Lahore.

Dated: \_\_\_\_\_

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

**Mst. Barbara**      **Vs.**      **SHO etc.**

Petition:      UNDER SECTION 22-A, 22-B Cr.P.C.

**AFFIDAVIT OF:**      ***Mst. Barbara***

*I the above named deponent do hereby solemnly affirm and declare as under:*

*That the contents of accompanying "Petition" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**VERIFICATION:-**

Verified on Oath at Lahore this day of March, 2024 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

***Deponent***

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**AMQ** son of GMQ, resident of

**Petitioner**

V E R S U S

**Station House Officer**, Police Station Civil Line, Lahore.

**Respondent**

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

Respectfully Sheweth;-

1. That the addresses of the parties mentioned in the caption of the petition are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the petitioner alongwith an Application Diary No.CL-12/19/2023-7412, Dated 19.12.2023 approached the respondent to take legal action against the accused persons

and to take the cognizance in accordance with law for registration of the case but the respondent rather to register the case is continuously delaying the matter on one pretext or the other. Copy of the application is attached herewith for the kind perusal of this Hon'able Court. The contents of application for registration of case may kindly be read as integral part of this petition.

3. That it is the statutory duty of the respondent to take the cognizance Under Section 154 Cr.P.C when an information has been received with regard the commission of an offence and to record the statement in the relevant book and set the law in motion and also to lodge the FIR in the first instance but the respondent is still acting beyond his limits and powers and has not acted in accordance with law.
4. That the public functionaries are legally bound to do in accordance with law and it is statutory duty of the respondent to lodge the FIR and then to investigate the matter on merits but neither the FIR has been lodged nor the action has been taken and accused persons are still causing illegal harassments towards the petitioner.
5. That it is categorically explained observation/ direction of the Powers Ex-officio Justice of Peace and also duties of the respondent which is reproduced below;-

**PLD 2007 SUPREME COURT 539**

**“154. information in cognizable cases every information relating to the commission of a COGNIZABLE OFFENCE if given orally to an Officer Incharge of a Police Station SHALL be reduced to writing by him or under his direction, and be read over to the**

informant, and every such information, whether given in writing or reduced to writing as aforesaid shall be signed by the persons giving it, and the substance thereof shall be entered in a book to be kept by such officer in such forum as the Provincial Government may prescribe in this behalf”

“155. Information in non-cognizable cases (1) When information is given to an Officer Incharge of a Police Station of the commission within the limits of such station of a NON COGNIZABLE OFFENCE, he SHALL enter in a book to be kept as aforesaid the substance of such information and refer the informant to the Magistrate.”

**THAT THE PRINCIPLE LAID DOWN IN PLD 2007 SC 539 “a,b”.**

Powers conferred under S.22-A (6) Cr.P.C on ex-officio justice of peace – scope and extent – only jurisdiction which could be exercised by an Ex-Officio Justice Of Peace under S.22-A (6) Cr.P.C was to examine whether the information disclosed by the applicant did or did not constitute a cognizable offence and if it did then to direct the concerned SHO to record an FIR without going into the veracity of the information in question, and no more – offering any other interpretation of S.22-A (6) Cr.P.C would be doing violence to entire scheme of Criminal Procedure Code, 1898 which could not be permitted – principles – legislative history of institution of Ex-Officio Justice Of Peace and powers conferred on them, traced.

**THAT THE PRINCIPLE LAID DOWN IN 2010 P CR.L. J 296 Lahore.**

Station House Officer concerned was directed by High Court to record statement of petitioner under S.154 Cr.P.C and handover the copy of the FIR to the petitioner without any delay.

(The Emphasis and underlining is ours).

6. That under Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 the rights of the individual to be dealt within accordance with law and it is the duty of the public functionaries to act in good faith, honesty and within

persistent of its powers that persons concerned should be treated in accordance with law as guaranteed by Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 and it is necessary that the respondent has to take the cognizance under the relevant law and in order to set the law in motion and he is legally bound to register the FIR.

7. That if this Hon'able Court does not direct to the respondent to register a criminal case against the culprits the petitioner shall suffer an irreparable loss and injury.
8. That the petitioner has left with no other alternative, speedy and efficacious remedy except to prefer the present petition.

**PRAYER:**

*In view of the submissions made above, it is therefore, most respectfully prayed that the respondent may very kindly be directed to register a criminal case against the accused persons according to application moved by the petitioner and may also be directed to do in accordance with law in the interest of justice, equity and fair play.*

*Any other relief which this Hon'able Court deems fit and appropriate in the circumstances of the case may also be awarded.*

**Petitioner**

Through

Advocate High Court

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

AMQ            **Vs.**    SHO

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

**AFFIDAVIT OF:**    **AMQ** son of GMQ, resident of

I the above named deponent do hereby solemnly affirm and declare  
as under:

That the contents of accompanying ***Petition*** may kindly be read as  
an integral part of this affidavit and nothing has been concealed therein, all  
the contents are true and correct.

Deponent

**VERIFICATION:**

Verified on Oath at Lahore this day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

Deponent

**IN THE LAHORE HIGH COURT, LAHORE.**

**Crl. Misc. No.....-B/2023**

**MA** son of MI, resident of

(Presently confined in District Camp Jail, Lahore)

**PETITIONER**

*Versus*

1. **The State**

2. **SH daughter of QA**

**RESPONDENTS**

=====

**FIR No.**2248/23

**Dated:** 15.07.2023

**Offence under Section:** 376 PPC

**Police Station:** Sundar, Lahore.

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

*Respectfully Sheweth:*

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent No.2 with malafide intention and ulterior motives, alleging the allegations as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Hon'able Court as **ANNEXURE-A**.
2. That the petitioner moved his post arrest bail before Sessions Judge, Lahore and the same was dismissed vide order dated 27.11.2023 passed by Muhammad Jameel ASJ, Lahore without considering the facts, circumstances and material available on record. Copies of bail petition and impugned order and bail application are attached herewith for the kind perusal of this Honourable Court as **ANNEXURE-B&B1**.
3. That the petitioner is innocent and is no more required to the police, hence seeks post-arrest bail inter alia on the following:

**G R O U N D S**

- a. That the petitioner is law abiding citizen, the petitioner is absolutely innocent in the said case, whereas he has

been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.

- b. That there is no time of occurrence is mentioned in the FIR which makes the prosecution story is highly doubtful.
- c. That as per MLC of victim no fresh tears, no laceration nor any signs of torture were found.
- d. That there is unexplained delay for conducting the MLR of the victim/petitioner which creates the serious dent upon the story of prosecution.
- e. That the complainant/victim also failed to prove her version that she is pregnant of the petitioner as per medical report.
- f. That medical report does not support the version of the complainant/victim and therefor, hence, entitled for relief of bail.
- g. That the petitioner has nothing to do with the alleged offence and previous non-convicted, hence entitled for the relief of bail.
- h. That during the course of investigation, the complainant failed to prove allegations leveled against the petitioner of making pictures and videos and during investigation no such recovery is attracted to the petitioner.

- i. That the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, "bail not jail" is a fundamental principle of natural justice for the grant of bail.
- j. That the petitioner is merely involved in this case due to police rivalry and the FIR is an outcome of malafide on the part of complainant.
- k. That there is no apprehension of petitioner's abscondance or tampering with the prosecution evidence.
- l. That other grounds will be agitated at the time of arguments.
- m. That the petitioner is ready to furnish surety bond for the entire satisfaction of this Honourable Court.

**PRAYER:**

***In view of the above submissions and circumstances, it is, therefore, most respectfully and humbly prayed that the application in hand may kindly be accepted and petitioner may very kindly be allowed post arrest bail till the final decision of case.***

**PETITIONER**

Through

**ZA**

Advocate High Court  
CNIC #  
Cell #

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**ADVOCATE**

**IN THE LAHORE HIGH COURT, LAHORE.**

**Crl. Misc. No.....-B/2023**

In re:

MA **Vs.** The State etc.

## **I N D E X**

<b>Sr. No.</b>	<b>Description</b>	<b>Dated</b>	<b>Page No.</b>
1.	Bail petition		1 – 4
2.	Copy of the FIR is <u>ANNEXURE-A</u> .		
3.	Copy of bail petition & order are <u>Annexure-B&amp;B1</u> .		
4.	Power of Attorney		

## **PETITIONER**

Through

**ZA**  
Advocate High Court  
CNIC #  
Cell #

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**AB** wife of YM, resident of

**Petitioner**

V E R S U S

**Station House Officer**, Police Station

**Respondent**

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

Respectfully Sheweth;-

1. That the addresses of the parties mentioned in the caption of the petition are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the petitioner Dated 14.02.2024 approached the respondent to take legal action against the accused persons and to take the cognizance in accordance with law for registration of the case but the respondent rather to register the case is continuously delaying the matter on one pretext or the other. Copy of the application is attached herewith for the kind perusal of this Hon'able Court. The contents of application for registration of case may kindly be read as integral part of this petition.
3. That it is the statutory duty of the respondent to take the cognizance Under Section 154 Cr.P.C when an information has been received with regard the commission of an offence and to record the statement in the relevant book and set the law in

motion and also to lodge the FIR in the first instance but the respondent is still acting beyond his limits and powers and has not acted in accordance with law.

4. That the public functionaries are legally bound to do in accordance with law and it is statutory duty of the respondent to lodge the FIR and then to investigate the matter on merits but neither the FIR has been lodged nor the action has been taken and accused persons are still causing illegal harassments towards the petitioner.
5. That it is categorically explained observation/ direction of the Powers Ex-officio Justice of Peace and also duties of the respondent which is reproduced below;—

**PLD 2007 SUPREME COURT 539**

**“154. information in cognizable cases every information relating to the commission of a COGNIZABLE OFFENCE if given orally to an Officer Incharge of a Police Station SHALL be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid shall be signed by the persons giving it, and the substance thereof shall be entered in a book to be kept by such officer in such forum as the Provincial Government may prescribe in this behalf”**

**“155. Information in non-cognizable cases (1) When information is given to an Officer Incharge of a Police Station of the commission within the limits of such station of a NON COGNIZABLE OFFENCE, he SHALL enter in a book to be kept as aforesaid the substance of such information and refer the informant to the Magistrate.”**

**THAT THE PRINCIPLE LAID DOWN IN PLD 2007 SC 539 “a,b”.**

**Powers conferred under S.22-A (6) Cr.P.C on ex-officio justice of peace – scope and extent – only jurisdiction which could be exercised by an Ex-Officio Justice Of Peace under S.22-A (6) Cr.P.C was to examine whether the information disclosed by the**

**applicant did or did not constitute a cognizable offence and if it did then to direct the concerned SHO to record an FIR without going into the veracity of the information in question, and no more – offering any other interpretation of S.22-A (6) Cr.P.C would be doing violence to entire scheme of Criminal Procedure Code, 1898 which could not be permitted – principles – legislative history of institution of *Ex-Officio Justice Of Peace* and powers conferred on them, traced.**

**THAT THE PRINCIPLE LAID DOWN IN 2010 P CR.L. J 296 Lahore.**

**Station House Officer concerned was directed by High Court to record statement of petitioner under S.154 Cr.P.C and handover the copy of the FIR to the petitioner without any delay.  
(The Emphasis and underlining is ours).**

6. That under Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 the rights of the individual to be dealt within accordance with law and it is the duty of the public functionaries to act in good faith, honesty and within persistent of its powers that persons concerned should be treated in accordance with law as guaranteed by Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 and it is necessary that the respondent has to take the cognizance under the relevant law and in order to set the law in motion and he is legally bound to register the FIR.
7. That if this Hon'able Court does not direct to the respondent to register a criminal case against the culprits the petitioner shall suffer an irreparable loss and injury.
8. That the petitioner has left with no other alternative, speedy and efficacious remedy except to prefer the present petition.

**PRAYER:**

*In view of the submissions made above, it is therefore, most respectfully prayed that the respondent may very kindly be directed to register a criminal case against the accused persons according to application moved by the petitioner and may also be directed to do in accordance with law in the interest of justice, equity and fair play.*

*Any other relief which this Hon'able Court deems fit and appropriate in the circumstances of the case may also be awarded.*

**Petitioner**

Through

A. DC  
Advocate High Court

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

Alas Bibi **Vs.** SHO

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

**AFFIDAVIT OF:**      **AB** wife of YM, resident of

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying ***Petition*** may kindly be read as an integral part of this affidavit and nothing has been concealed therein, all the contents are true and correct.

Deponent

**VERIFICATION:**

Verified on Oath at Lahore this 04<sup>th</sup> day of March, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

Deponent

**BEFORE THE COURT OF DISTRICT & SESSIONS JUDGE,**  
**LAHORE.**

**B.A No.....B/2024**

AR son of IA, resident of

**PETITIONER**

**VERSUS**

The State

**RESPONDENT**

=====

Case FIR No.1285/2024

Dated: 22.02.2024

Offence: U/S 489-B PPC

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

***Respectfully Sheweth;:-***

1. That the above titled false, frivolous and baseless FIR had been got registered with malafide intention and ulterior motives with the active connivance of the local police who have joined hands with each other just to humiliate the petitioner.

Copy of the FIR is attached herewith for the kind perusal of this Honourable Court.

2. That the petitioner is entitled for bail, inter-alia on the following amongst other;-

**GROUND**

- a. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- b. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.
- c. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.
- d. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved

in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.

- e. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.
- f. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
- g. That the petitioner is respectable citizen and belongs to a respectable family.
- h. That the other grounds will be submitted at the time of arguments.
- i. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon’able Court.

**PRAYER:**

***It is therefore, most respectfully prayed that  
the petitioner may very graciously be released on  
post-arrest bail in the keen interest of justice.***

**PETITIONER**

**Through**

**SNB**

Advocate High Court  
5-Turner Road, Lahore.

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**A D V O C A T E**

IN THE LAHORE HIGH COURT, LAHORE.

Crl. Misc. No ..... -B

Muhammad Asim son of Muhammad Aslam, resident of karol  
Ghati, Lhaore. (Presently confined of Sheikhupura Jail)

Petitioner

Versus

1. The state
2. Farhan Nazir son of Nazir Hussain, resident of Sultan Colony Sargodha Road, Sheikhupura.

Respondents

=====

FIR No. 1567/22 Dated: 19.11.2022

Offence under Section: 392, 411 PPC

Police Station: Sardar Sheikhupura, District  
Sheikhupura.

=====

PETITION UNDER SECTION 497 CR.P.C FOR

## THE GRANT OF BAIL AFTER ARREST.

=====

Respectfully Sheweth:

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent No.2 with malafide intention and ulterior motives, alleging the allegations as mentioned in the FIR. Copy of FIR is attached herewith for the kind perusal of this Honourable Court as Annexure-A.
2. That the petitioner moved his post arrest bail before Rana Muhammad Sohail Riaz, learned judicial Magistrate, Section-30, Sheikhupura, which was dismissed on 03.04.2023 without considering the facts, circumstances and material available on record. Copy of impugned order and bail application is attached herewith for the kind perusal of this Honourable Court as Annexure-B.
3. That the petitioner moved his post arrest bail before

Syed Zaigham Abaas Rizvi, Worthy Additional District and Session Judge, Sheikhupura which was dismissed on 18.04.2023 without considering the facts,

circumstances and material available on record. Copy of impugned order and bail application is attached herewith for the kind perusal of this Honourable Court as Annexure-C.

4. That the petitioner is innocent and is no more required to the police, hence seeks post-arrest bail inter alia on the following:

#### GROUNDS

a. That there is delay of 03-Days in lodging of FIR, no plausible grounds has been given about such delay, which fully makes the case highly doubtful and one of further inquiry.

b. That the petitioner is not named in FIR, which makes the case one of further inquiry.

- c. That the petitioner has been dragged in the case through supplementary statement, no source of information has been given in this regard.
- d. That the identification parade is fabricated, false and bogus.
- e. That nothing has been recovered from the possession of the petitioner, the alleged recovery is planted one and same is violation of 103 Cr.P.C.
- f. That the petitioner is law abiding citizen, the petitioner is absolutely innocent in the said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- g. That the petitioner has nothing to do with the alleged offence and previous non-convict, hence entitled for the relief of bail.
- h. That the petitioner is behind the bar since his arrest

and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “avail not jail” is a fundamental principle of natural justice for the grant of bail.

- i. That the petitioner is merely involved in this case due to police rivalry and the FIR is an outcome of malafide on the part of complainant.
- j. That there is no apprehension of petitioner’s abscondance or tampering with the prosecution evidence.
- k. That other grounds will be agitated at the time of arguments.
- l. That the petitioner is ready to furnish surety bond for the entire satisfaction of this Honourable Court.

#### PRAYER:

In view of the above submissions and circumstance, it is, therefore, most

respectfully and humbly prayed that the application in hand may kindly be accepted and petitioner may very kindly be allowed post arrest bail till the final decision of case.

PETITIONER

Through

Syed Abid-ul-Rehman Bukhari

Advocate High Court

CNIN # 35202-2297871-5

Cell # 0300-8075524

Bail-ul-Noor Building,

4-Mozang Road, Lahore.

**IN THE COURT OF WORTHY SESSIONS JUDGE, .**

**Criminal Appeal No.\_\_\_\_\_ of 2023**

District	Date of Filing Appeal	Advocate
	.12.2023	AA Advocate High Court  IA Advocate High Court

**SAA son of MH,**

**Appellant**

**V E R S U S**

**1. The State.**

**2. HT widow of SMA,**

**Respondents**

**FIR No.311/2010                      Dated: 20.04.2010**

**Offence U/S: 420/468/471 PP**

**Trial Court:                            learned Judicial Magistrate, Section-30, District Courts,**

.

**APPEAL:                                 AGAINST JUDGMENT DATED 29.11.2023 PASSED BY LEARNED  
JUDICIAL MAGISTRATE, SECTION-30, (MARB).**

**May it please your honour;**

1. That the appellant was booked in case FIR No.311/2010, dated 20.04.2010, offence under Sections 420, 468, 471 PPC, Police on the allegations that the petitioner alongwith employees of Motor Registration Authority,& Taxation Department transferred the vehicle No.LEH-09-1060, Colour White Toyota Corolla in his name by fraud and forgery.
2. That the car belongs to deceased husband of complainant namely SMA who died on 24.01.2009. That the accused in connivance with employees of Excise Department deprived the complainant and her sons from car valuing in lacs.
3. That after registration of FIR, report under Section 173 Cr.P.C was submitted in the learned trial court and after framing of formal charge and prosecution evidence and statement of accused under Section 342 Cr.P.C and hearing the final arguments of both the learned counsel for parties, the learned trial court convicted the accused/appellant as following manner:

That the appellant has been awarded 11-Months rigorous imprisonment under Section 420 PPC and has been imposed fine of Rs.25,000/- vide order dated 29.11.2023. In case of non-payment of fine, convict/appellant shall undergo further simple imprisonment for 25-Days.

4. That the appellant prays for the acceptance of his appeal and to set-aside the impugned judgment inter-alia on the following amongst other:

#### GROUNDs

1. That the punishment is against the law and facts.
2. That finding of guilt by learned trial court is not sustainable in law as every material on the record in favour of the appellant has not been given due weight.
3. That the prosecution has not been able to prove its case against the appellant beyond the shadow of doubt.
4. That the learned trial court has misread the prosecution evidence and wrongly awarded the sentence to the appellant as no case is made out against the appellant.
5. That keeping in view the facts and circumstances of the case, the punishment imposed on the appellant is harsh and excessive.

6. That the evidence on record does not justify the conviction and sentence of the appellant.
7. That the learned Judicial Magistrate ignored the fact that the accused/appellant kept in column No.2 of report under Section 173 Cr.P.C, which is meant for the innocent accused and the accused was challaned by mentioning his name in column No.2 of challan and no incriminating material is available on record against the appellant.
8. That there is unexplained delay of one year and three months in lodging of FIR and this unexplained delay is sufficient for the acquittal of accused. The delay has not been explained in FIR.
9. That the sentence is shorter one and is not sustainable in the eyes of law.
10. That the learned Judicial Magistrate acquitted the appellant under 468, 471 PPC and convicted only under Section 420 PPC and the learned trial court failed to follow the dictums laid down by the Honourable High Court and August Supreme Court and especially falses in one, falses in omnibus (false in one false in toto). It means that if complainant version is not reliable and proved to the extent of offences under Section 468, 471 PPC then her version to the extent of 420 PPC is also not proved.
11. That the learned trial court failed to appreciate that civil court is competent court to decide about the title of any movable and immovable property and civil litigation is pending between the parties regarding the title of the impugned vehicle and exparte judgment and decree dated 20.07.2016 of learned Civil Court, is already in favour of appellant.
12. That the complainant of the case filed civil suit for declaration that she is owner of the vehicle and that suit has been dismissed by the learned Civil Court, and that order has not been challenged before any higher forum and attained finality and therefore, the complainant's claim for ownership of vehicle has been rejected by the learned Civil Court, , the only forum to decide the township of vehicle.
13. That the learned trial court not properly appreciated the evidence available on record as complainant PW1 stated in her cross examination that she not presented any document to I.O regarding the forgery and this fact is sufficient for acquittal of accused and benefit of doubt always goes in favour of the accused as accused is the favorite child of law.
14. That the learned trial court even ignored the statement of complainant recorded in her cross-examination that she never recorded any statement to I.O except complaint EXPA, it means that she not recorded her statement under Section 161 Cr.P.C to I.O and this fact single is sufficient to acquit the accused. It is not necessary that there should be many discrepancies/doubts in the prosecution, even if there is a single doubt or discrepancy in the prosecution, the accused merits acquittal. The present case is fully of discrepancies and doubts.

15. That I.O of the case MS Si appeared as PW2 and stated in his cross-examination that he not attached any statement recorded under Section 161 Cr.P.C with the challan and it is very astonishing that the learned trial court convicted the accused without any statement under Section 161 Cr.P.C.
16. That I.O of the case further stated in his cross-examination it is correct that stamp paper in favour of accused/appellant was correctly issued in presence of witnesses and also stated that impugned vehicle is in the name of appellant in the record of Excise & Taxation Department and when the documents support the accused and not the prosecution, then the prosecution case stands nowhere.
17. That I.O further stated in his cross-examination that on 29.01.2009 vehicle was transferred twice correctly as per record and there is no need of physical presence of seller at the time of transfer, when the transfer documents including transfer deed etc. are complete.
18. That the prosecution story stands on the fake grounds from the inception as originally FIR was chalked under Section 420 PPC and later on Sections 468, 471 PPC were added with connivance of local police without advertizing to record.
19. That the learned Magistrate ignored the fact that stamp for transfer deed was purchased by SMA himself in favour of SAA on 23.01.2009 before the death of SMA, who died on 24.01.2009. A period of 30-Days is available to the purchaser for getting the ownership changed in the registration record as provided under Section 32 of the Punjab Motor Vehicles Ordinance 1965 and in the instant case transfer of ownership transaction was got effect within 7-Days from the date of issuance of transfer deed.
20. That the learned trial court ignored the very important aspect of the case that impugned vehicle No.LEA-09/1060 was registered on 29.01.2009 in the name of NM, further transferred on the same date in the name of SMA and SAA (present appellant). On 29.01.2009 date of transfer in the name of SMA, he died and vehicle was transferred in the name of dead person, because transfer deed etc. was prepared on 23.01.2009, it means that vehicle was rightly transferred in the name of SMA and same was then rightly transferred in the name of present appellant, as is also clear from the report of Motor Registration Authority-III, , Dated 13.08.2011. If the vehicle was wrongly transferred on 29.01.2009 in the name of SAA after the death of SMA, then definitely it was wrongly transferred also in the name of SMA after his death. If the version of the prosecution is admitted to be true then SMA on the basis of which present complainant stands will be the accused of the case alongwith present appellant and this is not the case. Actually transfer deed etc. was prepared before the death of SMA on 23.01.2009 and it was mere formality for transfer of ownership in the name of present appellant.
21. That the learned trial court not resorted to actual facts of the case wherein the accused is actual and lawful owner of the vehicle which he purchased from the real

- owner in his lifetime and three transactions of transfer were effected in the Excise & Taxation Department on the same day i.e. 29.01.2009 and the complainant only alleged one fraudulent transfer which is in favour of appellant.
22. That the complainant of the case alleged that the accused/appellant in connivance with employees of Excise Department prepared forged documents of vehicle and transferred the vehicle in this name, the matter is purely of Anti-Corruption as allegation is against the public servants and also no employee of Excise Department was made accused in the case and this is very serious dent in the prosecution case and this doubt/dent should go in favour of favorite child of law and not in favour of prosecution.

23. That the appeal is well within the time.

24. That the further submissions shall be advanced at the time of arguments of this appeal.

**PRAYER:**

Under the above circumstances, it is, therefore, most respectfully prayed that by accepting appeal, the impugned judgment dated 29.11.2023 passed by learned Judicial Magistrate, Section-30, District Courts, may graciously be set-aside and the appellant be acquitted of the charge.

Any other relief which this Hon'ble Court deems fit may also be awarded.

**Appellant**

**Through**

**AA**  
**Advocate High Court**

IA  
Advocate High Court  
Aiwan-e-Adal, .

**CERTIFICATE:**

As per instructions of my client, this is first appeal before this Hon'able Court.

Advocate

**IN THE COURT OF SESSIONS JUDGE**

Crl. Misc. No. \_\_\_\_\_ /2023  
IN  
CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2023

In re:-

SAA  
V E R S U S  
The State etc.

**PETITION SEEKING SUSPENSION OF SENTENCE UNDER SECTION**  
**426 Cr.P.C.**

**Respectfully Sheweth; -**

1. That the petitioner has filed the above titled appeal in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the appeal may kindly be read as an integral part and parcel of this application.
3. That petitioner has a good *prima facie* case in his favour and the appeal is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioner and against the respondent.

5. That if the interim relief as prayed for is not granted, the petitioner shall suffer irreparable loss and injury.

**Under the above mentioned facts and circumstances it is, therefore, most respectfully and benignantly prayed that the appellant's conviction and sentence may very graciously be suspended and the appellant may very kindly be admitted to bail in the interest of justice till the final decision of the titled appeal.**

**Appellant**  
**Through**

**AA**  
**Advocate High Court**

**IA**  
**Advocate High Court**  
**Aiwan-e-Adal, .**  
**IN THE COURT OF SESSIONS JUDGE .**

**CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2023**

**In re:-**

**SAA  
V E R S U S  
The State etc.**

**I N D E X**

<i>S.</i> <i>#</i>	<i>DESCRIPTION OF DOCUMENT</i>	<i>PAGES</i>
1.	<b>Appeal</b>	
2.	<b>Copy of judgment and relevant documents</b>	
3.	<b>Petition for suspension of sentence</b>	
4.	<b>Power of attorney</b>	

**Appellant**  
**Through**

**AA**  
**Advocate High Court**

**IA**  
**Advocate High Court**  
**Aiwan-e-Adal, .**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**Jason** son of

**Petitioner**

V E R S U S

**Station House Officer**, Police Station

**Respondent**

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

Respectfully Sheweth;-

1. That the addresses of the parties mentioned in the caption of the petition are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the petitioner alongwith an Application Diary No.\_\_\_\_\_, Dated \_\_\_\_\_ approached the respondent to take legal action against the accused persons and to take the cognizance in accordance with law for registration of the case but the respondent rather to register the case is continuously delaying the matter on one pretext or the other. Copy of the application is attached herewith for the kind perusal of this Hon'able Court. The contents of application for registration of case may kindly be read as integral part of this petition.

3. That it is the statutory duty of the respondent to take the cognizance Under Section 154 Cr.P.C when an information has been received with regard the commission of an offence and to record the statement in the relevant book and set the law in motion and also to lodge the FIR in the first instance but the respondent is still acting beyond his limits and powers and has not acted in accordance with law.
4. That the public functionaries are legally bound to do in accordance with law and it is statutory duty of the respondent to lodge the FIR and then to investigate the matter on merits but neither the FIR has been lodged nor the action has been taken and accused persons are still causing illegal harassments towards the petitioner.
5. That it is categorically explained observation/ direction of the Powers Ex-officio Justice of Peace and also duties of the respondent which is reproduced below;-

**PLD 2007 SUPREME COURT 539**

**“154. information in cognizable cases every information relating to the commission of a COGNIZABLE OFFENCE if given orally to an Officer Incharge of a Police Station SHALL be reduced to writing by him or under his direction, and be read over to the informant, and every such information, whether given in writing or reduced to writing as aforesaid shall be signed by the persons giving it, and the substance thereof shall be entered in a book to be kept by such officer in such forum as the Provincial Government may prescribe in this behalf”**

**“155. Information in non-cognizable cases (1) When information is given to an Officer Incharge of a Police Station of the commission within the limits of such station of a NON COGNIZABLE OFFENCE, he SHALL enter in a book to be kept**

**as aforesaid the substance of such information and refer the informant to the Magistrate.”**

**THAT THE PRINCIPLE LAID DOWN IN PLD 2007 SC 539 “a,b”.**  
Powers conferred under S.22-A (6) Cr.P.C on ex-officio justice of peace – scope and extent – only jurisdiction which could be exercised by an *Ex-Officio Justice Of Peace* under S.22-A (6) Cr.P.C was to examine whether the information disclosed by the applicant did or did not constitute a cognizable offence and if it did then to direct the concerned SHO to record an FIR without going into the veracity of the information in question, and no more – offering any other interpretation of S.22-A (6) Cr.P.C would be doing violence to entire scheme of Criminal Procedure Code, 1898 which could not be permitted – principles – legislative history of institution of *Ex-Officio Justice Of Peace* and powers conferred on them, traced.

**THAT THE PRINCIPLE LAID DOWN IN 2010 P CR.L. J 296 Lahore.**

**Station House Officer concerned was directed by High Court to record statement of petitioner under S.154 Cr.P.C and handover the copy of the FIR to the petitioner without any delay.**

**(The Emphasis and underlining is ours).**

6. That under Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 the rights of the individual to be dealt within accordance with law and it is the duty of the public functionaries to act in good faith, honesty and within persistent of its powers that persons concerned should be treated in accordance with law as guaranteed by Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973 and it is necessary that the respondent has to take the cognizance under the relevant law and in order to set the law in motion and he is legally bound to register the FIR.

7. That if this Hon'able Court does not direct to the respondent to register a criminal case against the culprits the petitioner shall suffer an irreparable loss and injury.
8. That the petitioner has left with no other alternative, speedy and efficacious remedy except to prefer the present petition.

**PRAYER:**

*In view of the submissions made above, it is therefore, most respectfully prayed that the respondent may very kindly be directed to register a criminal case against the accused persons according to application moved by the petitioner and may also be directed to do in accordance with law in the interest of justice, equity and fair play.*

*Any other relief which this Hon'able Court deems fit and appropriate in the circumstances of the case may also be awarded.*

**Petitioner**

Through

Advocate High Court

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

Jason **Vs.** SHO

**PETITION UNDER SECTION 22-A & 22-B Cr.P.C FOR THE  
REGISTRATION OF CASE.**

**AFFIDAVIT OF:**

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying ***Petition*** may kindly be read as an integral part of this affidavit and nothing has been concealed therein, all the contents are true and correct.

Deponent

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_ day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

Deponent

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2023

**ANA - Petitioner** son of FAK Father of the petitioner, resident of

**PETITIONER**

*Versus*

1. **The State**
2. **KA Respondent** son of SAA Father of Respondent, resident of

**RESPONDENTS**

=====

**FIR No.**575/23                   **Dated:**19.07.2023

**Offence under Section:** 489-F PPC

**Police Station:** Sajid Shaheed, District Sargodha.

=====

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

*Respectfully Sheweth:*

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent No.2 with malafide intention and ulterior motives, alleging therein that on 17.08.2022, respondent No.2/complainant entered into an agreement against consideration of Rs.2,25,00,000/- with regard to Plot No.294, D-II, Johar Town, Lahore and paid an amount of Rs.170,00,000/- as earnest money and petitioner/accused was liable to transfer the plot in question in the name of the complainant 02.10.2022 after getting NOC from LDA. On the date fixed complainant contacted the petitioner for the transfer of the plot in question but he was informed by the petitioner that due to shortage of money he failed to get NOC, so he demanded Rs.30,00,000/- which was paid to him. Later, on failure to transfer the above plot in the name of complainant he issued a Cheque bearing No.5300007912 Allied Bank Aitmad Ltd. Johar Town, Lahore valuing of Rs.2,00,00,000/- for 27.04.2023 on the demand of the complainant. On the said date the complainant contacted to

the petitioner, who sought two three months more and then lingering on the matter on one or the other pretext and lastly complainant deposited the cheque in question in his account MCB Islami Bank Ltd. Club Road, Sargodha for its encashment on 12.07.2023 but the same has been dishonor due to insufficient amount and it this way the petitioner/accused with malafide intention issued the said cheque to usurp the said amount. Copy of the FIR is attached herewith for kind perusal of this Hon'able Court as

**ANNEXURE-A.**

2. That the petitioner applied his pre-arrest bail application before Sessions Judge, Sargodha and the same was entrusted to Mr. Muhammad Rashid, Learned ASJ, Sargodha, who dismissed the same in a slipshod manner on 25.11.2023 without considering the facts, circumstances, material available on record and law laid down. Copy of the bail application and impugned order is attached as

**ANNEXURE-B.**

3. That the petitioner is quite innocent and has no nexus with alleged offence, allegation and occurrence, even otherwise

no offence is made out against the present petitioner, hence the petitioner seeks pre-arrest bail inter-alia on the following:

**G R O U N D S**

- a. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner for ulterior motives.
- b. That the facts narrated in the FIR has no bearing with the real background of this case. In fact the complainant entered into an agreement to sell dated 21.12.2021 with regard to Plot No.259, Block-L, Johar Town, Lahore the total consideration was decided as Rs.532,00,000/- out of which Rs.150,00,000/- was paid by the complainant. Later, in lieu of the said plot another agreement to sell was executed by the complainant with regard to Plot No.294, Block-D-II, Johar Town, Lahore on 17.08.2022 and adjusted Rs.150,00,000/- already paid against Plot

No.259, Block-L, Johar Town, Lahore against Plot No.294, Block-D-II, Johar Town, Lahore.

- c. That the complainant despite entering into new agreement to sell with malafide intention and ulterior motives filed Suit for specific performance and got stay order on 23.08.2023 on the basis of first agreement dated 21.12.2021.
- d. That the cheque in question was never issued as narrated in the FIR but at the time of execution of the first agreement to sell as guaranty of the amount of Rs.150,00,000/- but that was an open cheque without date and amount and the same was handed over to the dealer, who got the above said transaction finalized but later the dealer and the complainant joined hands and in result of collusion the cheque was handed by the dealer to the complainant illegally, unlawfully, who by playing fraud entered the date and amount in it and presented in the bank without knowledge of the petitioner, otherwise the petitioner is ready to honour agreement to sell dated

17.08.2022 through which Plot No.294, Block-DII, Johar Town, Lahore has been undertaking to transfer after receiving balance amount.

- e. That the complainant is not bonafide as he only paid Rs.150,00,000/- for the purchase of plot bearing No.259, Block-L, Johar Town, Lahore but later, the said transaction was cancel and another Plot bearing No.294, Block-DII, Johar Town, Lahore was purchased but no further amount was paid but at one hand he has got stay order against the previously purchased plot bearing No.259/L, Johar Town, Lahore and on the other hand he got the instant FIR registered by playing bogus entries in the guaranty cheque. So, the malafide of the complainant is speaking volume in this case which brings the case of the petitioner in further inquiry.
- f. That admittedly civil litigation is pending between the parties which is main hindrance to resolve the issue between the parties.
- g. That the petitioner is previously non-convict.

- h. That even otherwise it is a settled principle of law that “bail not jail” and “Justice should be substantive and not technical” and the petitioner is on the mercy of this Hon’able Court.
- i. That there is no apprehension of the petitioner’s absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- j. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.
- k. That there is apprehension of arrest in the hand of local police, who has joint hands with the complainant and in case of arrest the dignity and honour of the petitioner and his family would be at stake.
- l. That the petitioner is ready to join the investigation as and when required by the police.
- m. That the petitioner is ready to furnish surety bonds to the entire satisfaction of this Honourable Court.

**PRAYER:**

*In view of the above narrated facts and circumstances, it is, therefore, most respectfully and humbly prayed that bail application in hand may kindly be accepted and petitioner be allowed pre-arrest bail till the final decision of the above said case.*

*Meanwhile ad-interim bail may also be granted.*

**PETITIONER**

Through

**IA**

Advocate Supreme Court

**NAB**

Advocate Supreme Court  
1-Mozang Road, Lahore.

**CERTIFICATE:**

As per information provided by my client this is the **1<sup>st</sup> bail application** before this Hon'able Court.

**ADVOCATE**

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2023

In re:

ANA - Petitioner **Vs.** The State etc.

**PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:**      **ANA - Petitioner** son of FAK Father of the petitioner, resident of

I, the above named deponent, do hereby solemnly affirm and declare on Oath as under:

***Deponent***

**VERIFICATION:**

Verified on Oath at Lahore this \_\_\_\_\_ day of December, 2023 that the contents of the above affidavit are true and correct to the

*best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***  
**IN THE LAHORE HIGH COURT, LAHORE.**

C.M No. \_\_\_\_\_ B/2023  
In  
Crl. Misc. No. .... B/2023

In re:

ANA - Petitioner      **Vs.**    The State etc.

(PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL)

**APPLICATION UNDER SECTION 561-A CR.P.C FOR  
DISPENSATION OF FILING OF CERTIFIED COPIES OF SOME  
ANNEXURE.**

*Respectfully Sheweth:*

1. That the petitioner has filed the aforementioned bail petition before this Hon'able Court which is fixed for today.
2. That the petitioner has filed photo state copies of some Annexure-with the bail petition and will produce the original/ attested ones when are made available.

***It is, therefore, most respectfully prayed that  
meanwhile production of original / attested  
documents may very kindly be dispensed with.***

**PETITIONER**

Through

Advocate High Court

IN **THE LAHORE HIGH COURT, LAHORE.**

C.M No.\_\_\_\_\_B/2023

In

Crl. Misc. No.....B/2023

In re:

ANA - Petitioner      **Vs.**    The State etc.

(PETITION UNDER SECTION 498 CR.P.C FOR THE GRANT OF  
PRE-ARREST BAIL)

**APPLICATION UNDER SECTION 561-A CR.P.C FOR**  
**DISPENSATION OF FILING OF CERTIFIED COPIES OF SOME**  
**ANNEXURE.**

**AFFIDAVIT OF:**

I, the above named deponent, do hereby solemnly affirm and declare on Oath as under:

1. That the petitioner has filed the aforementioned bail petition before this Hon'able Court which is fixed for today.
2. That the petitioner has filed photo state copies of some Annexure-with the bail petition and will produce the original / attested ones when made available.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this \_\_\_\_\_ day of December, 2023 that the contents of the above affidavit are true and correct to the*

*best of my knowledge and belief and nothing has been concealed therein.*

***Deponent***

**IN THE LAHORE HIGH COURT, LAHORE.**

Crl. Misc. No...../B/2023

In re:

ANA - Petitioner      **Vs.**    The State etc.

**I N D E X**

<b>Sr. #</b>	<b>Description</b>	<b>Dated</b>	<b>Pag e #</b>
1.	<i>Bail petition alongwith affidavit</i>		
2.	<i>Copy of the FIR ANNEXURE-A.</i>		
3.	<i>Copy of the bail application and impugned order is ANNEXURE-B.</i>		
4.			
5.			
6.	<i>Application for dispensation alongwith affidavit</i>		
7.	<i>Power of Attorney</i>		

**PETITIONER**

Through

\_\_\_\_\_  
Advocate High Court  
CNIC # \_\_\_\_\_

Cell # \_\_\_\_\_

**BEFORE THE SPECIAL JUDGE FIA, DISTRICT COURTS,**  
**LAHORE.**

**B.A No.....B/2023**

MAK son of MZK, resident of  
**PETITIONER**

**VERSUS**

The State

**RESPONDENT**

=====

**Case FIR No.1692/23      Dated: 27.05.2023**

**Offence:** U/S 295-A, 298-A, 153-A,  
16 The Punjab Maintenance of Public Order Ordinance, 1960  
Later on added 11 of PECA

**Police Station:** Ichhra, Lahore.

*As well as*

**Case FIR No.184/23      Dated: 30.10.2023**

**Offence:** U/S 295-A, 298-A, 153-A  
16 The Punjab Maintenance of Public Order Ordinance, 1960  
Later on added 11 of PECA

**Police Station:** Cyber Crime Wing FIA, Lahore.

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF**  
**BAIL AFTER ARREST.**

=====

***Respectfully Sheweth;:-***

1. That the above titled false, frivolous and baseless FIR had been got registered with malafide intention and ulterior motives with the active connivance of the local police who have

joined hands with each other just to humiliate the petitioner. Copies of the FIRs are attached as **Annexure-A, A1**.

2. That earlier the petitioner was arrested by Punjab Police and later on due to non-jurisdiction of Punjab Police of 11 of PECA Act the matter was referred to FIA and FIA got lodged FIR No.184/23 was lodged on 30.10.2023 and later on FIA Authority took custody of petitioner from Punjab Police.
3. That the petitioner is entitled for bail, inter-alia on the following amongst other:-

### **GROUND**

- a. That no audio or video has been sent or received upon the cell number 0321-6777396 (under use of petitioner), so the version taken in FIR line No.6 mid place that from this number audio was received is false and wrong, which fully makes the case highly doubtful and one of further inquiry.
- b. That the audio recording of petitioner was published/aired by complainant party at u-tube channels
  - (1) Muslim Today
  - (2) Faroog-e-Aza ( )
  - (3) Difa-e-Ale-Bait ( ),

The cell number of the petitioner was added in different whatsapp groups and person namely KA used objectionable language about khulfa-e-Rasheed and showed that the petitioner has done the same. It was stated by said KA that "*Ghaib Baba will come and will get expel to first three Khulfa Rashdeen, Amma Ayesha, Amma Hifza from graves*"

The petitioner has been trapped in case with malafide intention, while petitioner has not committed any offence.

- c. That offence under Section 295-A, 298-A does not attract upon petitioner, total baseless story has been narrated, the petitioner belongs to Sunni Maslak and is follower of Imam Mahdi (A.S) from heart.
- d. That according to contents of FIR regarding petitioner, the petitioner has not abused Imam Mahdi (A.S) the petitioner is following of Imam Mahdi (A.S), the petitioner

is operating his own U-Tube Channel Ahsan Boxer, which channel is clearly showing that the petitioner has not uttered any word in this regard.

- e. That FIR is based upon hearsay evidence of AAS, there is no direct evidence, there is no statement of AAS and other witnesses under Section 161 Cr.P.C, the hearsay evidence has no value in the eyes of law.

**Reliance is placed upon 2017 PCr.LJ 306, 2020 SCMR 418, 2022 MLD 666.**

- f. That according to **2022 MLD 660** it is clarified

*No direct evidence was available to prima facie connect the accused with the commission of offence.*

In the same judgment two further cases i.e.

- (i) **2017 SCMR 61,**
- (ii) **2014 SCMR 12**

are mentioned, which also support version of petitioner.

- g. That before the lodging of FIR, opinion of religious scholar/expert has been taken, on this same ground bail has been granted. Reliance is placed upon **2017 P.Cr.L.J 306**

*Even any opinion of any religious scholar has been made part of record.*

- h. That according to **2021 YLR 2233:**

*No direct evidence was available to prima facie to connect the accused with commission of offence*

*nothing was recovered from the accused nor had he made by confessional statement, therefore, the case against accused was required to be stabled through pro nad contra evidence. Bail was allowed, in circumstances*

In present case, no direct evidence is available against present petitioner and thing has been recovered from the possession of petitioner and no incriminating material is available against the petitioner. Reliance is placed upon **2020 SCMR 1675.**

- i. That so far challan of case not been submitted and petitioner was sent to judicial lockup on 22.06.2023, the case against petitioner is one of further inquiry. Reliance is placed upon **2020 SCMR 418**:

"challan had not yet been submitted before the court of competent jurisdiction/--- Accused was behind bard since more than 3-months---- All said circumstances made the case one of further inquiry falling within the ambit of S. 497 (2) Cr.P.C. --- Accused as granted bail"

- j. That according to **PLD 2017 SC 147**,

"Accused has made out a case for grant of bail due to inordinate delay in conclusion of his trial --- Accused was granted bail accordingly"

- k. That according to 2012 P.Cr.LJ 923:

"Offence under S.295-A, PPC was not merely an offence against a particular individual, but of all intents and purposes was against the state-procedure required that a court could only take cognizance of such offence, if the complainant was made by order the authority from the Federal Government or the Provincial government. If same was not within the mandatory of S.196 Cr.P.C such was not curable irregularity complaint under S.295-A PPC could be lodged by a person directly, it might to be made either by Federal Government or the Provincial Government; or for that matter any person authorized on their behalf to lodge an FIR under the said section --- In the present case such qualification of the compliant who lodged the complaint directly, were missing. ---Section 298-A, being bail-able, question

of guilt or otherwise of accused, would require further inquiry, entitling accused to concession of bail. Accused was granted to bail, in circumstances."

According to this decision before lodging of FIR, private person cannot lodged FIR under Section 295-A & 298-A PPC without permission of government, but in present case, same is missing.

Further according to **2011 PCr.LJ 1631** the complainant has to take permission from higher authority before lodging of FIR, so Section 196 Cr.P.C had not been fulfilled and these facts made the case highly doubtful and one of further inquiry.

It is also explained in judgment **2017 YLR 1665** as permission should be taken before lodging of FIR from high-ups:

"The provision of Section 196, Cr.P.C are mandatory in nature and non-compliance has brought the case of present petitioners within the compass of further inquiry under Section 197 (2), Cr.P.C and when a case becomes a case of further inquiry an accused can claim bail as mater of right and not as a grace or concession. "

1. That according to PLD 2022 SC 751, it was held that:

"Accused remained incarcerated for almost a year and a half and according to the prosecution and the police throughout this period no incriminating material was recovered form him, either at the time of his arrest or thereafter. Mobile phone of the accused was also checked but that too did not reveal any incriminating material, or material to suggest that the he had the propensity to do what he was alleged to

have done..... All these factors made this a case for further inquiry and entitled the petitioner to bail.”

So in this clear judgment as there is no incriminating material is available against petitioner, hence that the petitioner is entitled for grant of bail.

m. That according to PLD 2022 SC 751

“Mobile phone of accused was also checked but that too did not reveal any incriminating material, or material to suggest that he had the propensity to do what he was alleged to have done.”

While no data has been shared from mobile phone of petitioner.

- n. That neither the mobile of complainant nor the mobile of AAS has been taken in possession.
- o. That audio recording and screen shot photo-clips have been taken in police custody which is clear violation of 103 Cr.P.C, the date was 26.06.2023 and it was changed/cut/tempered with date 24.06.2023, while FIR was lodged on 27.05.2023 which makes the case highly doubtful and one of further inquiry.
- p. That third fard maqboozgi is of CDR of accused.
- q. That one KA made a call to petitioner from his cell # 0309-0296870 and on phone abused Three Khulfa Rashdeen, there is no statement of KA and no CDR of his number is available on case file. The cell phone of KA has not been taken in police custody, there is no statement of said persons.
- r. That cell phone of petitioner is in police custody while nothing was found in mobile of petitioner, which makes the case one of further inquiry.
- s. That the petitioner was sent to jail on 22.06.2023 and of same incident an FIR No.254/23 has been lodged in Police Station Murree.

- t. That earlier the bail was filed before the court of Ch. Muhammad Asif, Worthy ASJ, Lahore, so, petitioner withdraw his bail petition dated 07.08.2023. (Copy of bail petition is attached herewith for kind perusal of this Honourable Court)
- i. Then bail was filed before the court of Hafiz Abubakar Sadiq, learned Judicial Magistrate P.S Ichhra, Model Town courts, Lahore, Punjab Police later on 11-PECA was added vide Zimni No.12 dated 25.06.2023, so the bail was withdrawn on 23.09.2023. (Copy of bail petition is attached herewith for kind perusal of this Honourable Court)
  - ii. After the petitioner apply his post-arrest bail before the court of Mr. Imran Abid, Special Judge FIA District Courts, Lahore and Honourable Court directed to issues notice for record and complainant and in this regard FIA officials stated that they have no record about this case and Honourable Court also directed to the concerned authority decided the same within 7-days and disposed of without touching merits of bail petition dated 02.10.2023. (Copy of bail petition is attached herewith for kind perusal of this Honourable Court)
  - iii. Petitioner filed 01<sup>st</sup> Compliance Petition order dated 02.10.2023 in which Honourable Court directed to the concerned authority decided the same within 5-days and disposed of dated 18.10.2023. (Copy of bail petition is attached herewith for kind perusal of this Honourable Court)
  - iv. After the petitioner filed 02<sup>nd</sup> Compliance Petition order dated 02.10.2023 as well as 18.10.2023 in which Honourable Court directed

to the concerned authority decided the same within 7-days and disposed of dated 26.10.2023. After all that proceedings the FIA was lodged:

**FIR No:** 184/23 **dated** 30.10.2023

**U/s:** 295-A, 298-A, 153-A PPC,  
16 MPO 1960, 11 PECA,

**P.S:** Cyber Crime Wing FIA,  
Lahore.

(Copy of bail petition is attached herewith for kind perusal of this Honourable Court)

- v. The petitioner filed post-arrest bail before the Court of Mr. Imran Abid, Special Judge FIR, District Courts, Lahore, and on 30.11.2023 which was withdrawn by the petitioner due to technical and clerical mistake on the post-arrest bail. Now, petitioner filed this present fresh post arrest bail in this Honourable Court. (Copy of bail petition is attached herewith for kind perusal of this Honourable Court)
- u. That the police file was taken by FIA, Cyber Crime Wing FIA, Lahore, recovered YouTube channel, wherein no incriminating material was recovered from present petitioner.
- v. That the petitioner is law abiding citizen and is absolutely innocent in the above said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- w. That the petitioner is previously non convict and has no concern whatsoever in any manner with the alleged offence, which is very much clear from the record and the case is of further inquiry.

- x. That the petitioner is behind the bars since his arrest and is no more required to the police, therefore, the petitioner is entitled for the relief of bail.
  - y. That the petitioner has nothing to do with the alleged offence and occurrence and he has been merely involved in the above said false and frivolous case in order to blackmail and humiliate the present petitioner.
  - z. That all facts makes the case one of further inquiry.
- aa. That no direct evidence is available and even there is no eye witness of occurrence.
  - bb. That investigation of the case has been completed and the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.
  - cc. That the petitioner is respectable citizen and there is not apprehension of his abscondance or tampering with the prosecution evidence if he released on bail.
  - dd. That the other grounds will be submitted at the time of arguments.
  - ee. That the petitioner is ready to furnish the surety bonds to the entire satisfaction of this Hon'able Court.

**PRAYER:**

***It is therefore, most respectfully prayed that  
the petitioner may very graciously be released on  
post-arrest bail in the keen interest of justice.***

**PETITIONER**

Through

**TIM**  
Advocate High Court

**MMS HURQ**

Advocate High Court

Advocate High Court

**TA**

Advocate High Court

**NIA**

Advocate

**Tahir Minhas Law Firm,**

Dated: 20.11.2023.

**CERTIFICATE:-**

As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.

**A D V O C A T E**  
**IN THE LAHORE HIGH COURT, LAHORE.**

**Crl. Misc. No.....-B/2024**

**AL** son of LA, resident of

**PETITIONER**

*Versus*

1. **The State**
2. **KNK** son ofMNC, resident

**RESPONDENTS**

=====

**FIR No.**4591/2023

**Dated:**03.11.2023

**Offence under Section:** 489-F

**Police Station:** Nawan Kot, Lahore.

=====

**PETITION UNDER SECTION 497 Cr.P.C FOR THE GRANT OF  
BAIL AFTER ARREST.**

=====

*Respectfully Sheweth:*

1. That the above mentioned false, frivolous, fanciful and baseless FIR was registered at the instance of respondent No.2 with malafide intention and ulterior motives, alleging the allegations as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Hon'able Court as **ANNEXURE-A**.
2. That the petitioner moved his post arrest bail before District Judge, Lahore which was dismissed on 31.01.2024 without considering the facts, circumstances and material available on record. Copy of impugned order and bail application is

attached herewith for the kind perusal of this Honourable Court as **ANNEXURE-B**.

3. That the petitioner also tried to file his post arrest bail before the worthy Session Judge, Lahore but due to strike by marking office, the petitioner failed to file his post arrest bail before the worthy Session Judge, Lahore and due to the above said reason the petitioner approached this Honourable Court for redress his grievance and for the sake of justice.
4. That the petitioner is innocent and is no more required to the police, hence seeks post-arrest bail inter alia on the following:

## **G R O U N D S**

- a. That the petitioner is law abiding citizen, the petitioner is absolutely innocent in the said case, whereas he has been falsely implicated by complainant with malafide intention and ulterior motives in order to blackmail, humiliate and pressurize the petitioner. It is also worth mentioning here that the whole version of FIR itself makes the case that of further inquiry.
- b. That the petitioner never issued the cheque in question to the complainant for fulfilment of any obligation or return of any loan but the same cheque including three other blank cheques are lying with the complainant as guaranty on the demand of the complainant since then the petitioner started his job with the complainant.
- c. That the petitioner continued his job only 40-days and then left the job due to the reason the complainant did not paid the salary to the petitioner and when the petitioner demanded his salary, the complainant advance the threats of dire consequences of the petitioner and also refused to return the blank cheques i.e. (1) Cheque No.10031895, (2) Cheque No.10031896, (3) Cheque No.10031897, (4) Cheque No.10031898 and the same are still in the possession of the complainant.
- d. That the complainant with playing fraud and misrepresentation and malafide intention himself fill one of the cheque of amounting Rs.820,000/- and also put

the forged signature of the petitioner illegally and unlawfully and used the same and also lodged the fake and fictitious FIR against the petitioner.

- e. . That the petitioner has nothing to do with the alleged offence and previous non-convict, hence entitled for the relief of bail.
- f. That the petitioner is behind the bar since his arrest and is no more required by the police, there is every probability of acquittal of the petitioner and this will be punishment in advance, whereas, “bail not jail” is a fundamental principle of natural justice for the grant of bail.
- g. That the petitioner is merely involved in this case due to police rivalry and the FIR is an outcome of malafide on the part of complainant.
- h. That there is no apprehension of petitioner’s abscondance or tampering with the prosecution evidence.
- i. That other grounds will be agitated at the time of arguments.
- j. That the petitioner is ready to furnish surety bond for the entire satisfaction of this Honourable Court.

**PRAYER:**

*In view of the above submissions and circumstances, it is, therefore, most respectfully and humbly prayed that the application in hand may kindly be accepted and petitioner may very kindly be allowed post arrest bail till the final decision of case.*

**PETITIONER**

Through

**ZAZ**

Advocate High Court  
Anab Center,  
1-Mozang Road, Lahore.  
CNIC # 35202-2165341-5  
Cell # 0315-4020211

**CERTIFICATE:-**

*As per information provided by my client, this is the **First Petition** on the subject matter cited above in this Honourable Court.*

**ADVOCATE**



**IN THE LAHORE HIGH COURT, LAHORE.**

**Crl. Misc. No.....-B/2024**

In re:

AL    **Vs.**   The State etc.

**I N D E X**

<b>Sr. #</b>	<b>Description</b>	<b>Dated</b>	<b>Page #</b>
1.	Bail petition		
2.	Copy of the FIR is <b><u>ANNEXURE-A</u></b> .		
3.	Copy of impugned order and bail application as <b><u>ANNEXURE-B</u></b> .		
4.	Power of Attorney		

**PETITIONER**

Through

**ZAZ**

Advocate High Court

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

**MB son of**

**Petitioner**

**V E R S U S**

1. **Station House Officer**, Police Station \_\_\_\_\_,  
Lahore.
2. \_\_\_\_\_

**Respondents**

**Petition:** UNDER SECTION 22-A, 22-B Cr.P.C FOR  
ISSUANCE OF AN APPROPRIATE DIRECTION TO  
RESPONDENTS NO.1&2 NOT TO HARASS THE  
PETITIONER AND HIS FAMILY MEMBERS  
ILLEGALLY, UNLAWFULLY ON THE BEHEST OF  
RESPONDENTS NO.3 TO 5.

***Respectfully Sheweth:-***

1. That the addresses of the parties are correct for the process of services summons/notices.
2. That the petitioner belongs to respectable family and is spending his peaceful life and have never been involved in any criminal

activities, but respondents No.1&2 without any lawful justification, illegally and unlawfully harassing and blackmailing the petitioner and his family members at the instigation of the respondents No.3 to 5 without any cogent reason and without any lawful authority.

3. That the petitioner is not involved in any criminal activities and there is not a single complaint pending against the petitioner in any police station or authority etc.
4. That respondents No.1&2 alongwith their officials paid visit in the house of the petitioner illegally and unlawfully extended threats to petitioner and his family members and said that they will arrest him and involve in false cases.
5. That respondents No.1&2 have no lawful authority to harass the petitioner and his family members without any justification, whereas there is no criminal proceedings are pending against the

petitioner, so the above said acts of respondents No.1&2 is totally against law and natural justice.

6. That the said act of the respondents is highly condemnable and is punishable as per law, because as per Constitution of Islamic Republic of Pakistan, every citizen has a right to live and spent a peaceful and comfortable life.
7. That the petitioner is innocent person but the respondent has intention to drag the petitioner in series of false cases.
8. That the petitioner has no other adequate and efficacious remedy except to invoke the jurisdiction of this Hon'able Court.

**PRAYER:-**

*It is, therefore, most respectfully prayed that respondents No.1&2 may kindly be restrained from harassing, pressurizing, humiliating and*

*blackmailing to the petitioner and his family  
members on the instigation of respondent No.3 to 5.*

*Any other relief which this Hon'able Court  
deems fit and appropriate may also be awarded.*

Petitioner

Through

**Counsel**  
Advocate High Court  
Aiwan-e-Adal, Lahore.

Dated: \_\_\_\_\_

IN THE COURT OF SESSIONS JUDGE, LAHORE.

In re:

**MB Vs. SHO etc.**

Petition: UNDER SECTION 22-A, 22-B Cr.P.C.

AFFIDAVIT OF: **MB**

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "**Petition**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

**Deponent**

VERIFICATION:-

Verified on Oath at Lahore this day of March, 2024 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

**Deponent**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

Bail Petition No. \_\_\_\_\_/2023

**Jason** son of

resident of

**PETITIONER**  
**VERSUS**

**The State**

**RESPONDENT**

**Case FIR No.**                           **Dated:**

**Offence:** U/S \_\_\_\_\_ PPC

**Police Station:** \_\_\_\_\_, Lahore.

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF**  
**PRE-ARREST BAIL.**

**RESPECTFULLY SHEWETH:**

1. That the above said false, frivolous and baseless FIR was got registered alleging the allegation as mentioned in the FIR. Copy of the FIR is attached herewith for the kind perusal of this Honourable Court.
2. That the petitioner is quite innocent and is entitled to the grant of pre-arrest bail, inter-alia on the following:

**GROUNDS**

- a. That the petitioner is law abiding citizen of Pakistan and never been involved in any criminal litigation, but with the active connivance of local area police the present complainant has falsely involved the present petitioner in the above captioned case, in which the petitioner is totally innocent and has nothing to do with the alleged offence.
- b. That the bare reading of the above said FIR reflects the malafide and ulterior motives on the part of the complainant and petitioner has been made a scapegoat in this case, hence the petitioner is entitled for the relief of bail.
- c. That even otherwise it is a settled principle of natural justice “bail not jail” and “Justice should be substantive and not technical” and the petitioner is on the mercy of this Hon’able Court.
- d. That the law of bail is not a static law, hence pre-arrest bail may kindly be granted keeping in view the merits of the case because FIR is not lodged with bonafide

intention and no useful purpose would be served by keeping petitioner behind the bar because the case is covered under section 2 of section 497 falling further inquiry.

- e. That the petitioner has falsely and maliciously been implicated in the above said false and frivolous case due to the malafide of complainant just to pressurize and humiliate the petitioner and to meet ulterior motives.
- f. That there is no apprehension of the petitioner's absconding or tampering with the prosecution evidence, if the petitioner is admitted on pre-arrest bail.
- g. That the petitioner has nothing to do with the alleged offence, the petitioner has merely been involved in the above said case with malafide intention and ulterior motives.
- h. That the local police is behind the petitioner and if the petitioner is arrested the dignity and honour of the petitioner as well as his family will be humiliated.

- i. That the petitioner is ready to join the investigation as and when required by the police.
- j. That other grounds will be agitated at the time of arguments.
- k. That the petitioner is ready to furnish surety bonds for the entire satisfaction of this Honourable Court.

**PRAYER:**

*In view of the above submissions, it is respectfully and humbly prayed that this petition may kindly be accepted and the petitioner may very kindly be granted pre-arrest bail till the decision of the case.*

*It is, further prayed that ad-interim bail may also be allowed to the petitioner.*

***PETITIONER***

*Through*

***MT***  
*Advocate High Court*

**CERTIFICATE:**

*As per instruction, this is the **1<sup>st</sup>** Petition on the subject matter.*

**ADVOCATE**

**IN THE COURT OF SESSIONS JUDGE, LAHORE.**

In re:

Jason                      **Vs.**    The State

**PETITION U/S 498 Cr.P.C FOR THE GRANT OF  
PRE-ARREST BAIL.**

**AFFIDAVIT OF:**              Jason son of

I the above named deponent solemnly affirm and declare on Oath  
as under:

That the contents of the accompanying **Petition** are true and  
correct to the best of my knowledge and belief and nothing has been  
concealed therein.

***Deponent***

**VERIFICATION:**

*Verified on Oath at Lahore this day of October, 2023*

*that the contents of the above affidavit are true and  
correct to the best of my knowledge and belief and  
nothing has been concealed therein.*

***Deponent***