

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**

Mr. Justice Yahya Afridi, CJ  
Mr. Justice Irfan Saadat Khan  
Mr. Justice Shakeel Ahmad

**Civil Petition No.2009 of 2025**

*(Against the judgment dated 20.03.2025 of the Lahore High Court, Lahore passed in Writ Petition No. 17090/2025)*

Ch. Fawad Ahmed  
...Petitioner(s)

**Versus**

Government of Pakistan through Secretary Home Department,  
Islamabad and others  
...Respondent(s)

For the Petitioner(s):	Mr. Faisal Fareed, ASC Ch. Fawad Ahmed, petitioner in person
For the State:	Syed Zulfiqar Abbas Naqvi, Special Prosecutor, Punjab
For the Respondent(s):	Barrister Umer Aslam, Additional Attorney General Hafiz Muhammad Latif Khawaja, Additional Advocate General, Punjab
For ICT:	Mr. Muhammad Usman Mirza, State Counsel
For Province of Punjab:	Mr. Ahmed Raza Gillani, Addl. Prosecutor-General, Punjab
Date of Hearing:	10.07.2025

**ORDER**

**Yahya Afridi, CJ.-** At the very outset, the petitioner, appearing in person, drew the attention of the Court to the fact that in an earlier petition, he had invoked the constitutional jurisdiction of the Lahore High Court, Lahore, (the “**High Court**”) challenging the registration of multiple FIRs and sought relief under Section 185 of the Code of Criminal Procedure, 1898 (“**Cr.P.C.**”). The petition was objected to by the Office, and the learned Bench of the High Court vide order dated 11.12.2024, maintained those objections. Aggrieved

thereby, the petitioner contends that he challenged the same before this Court through Civil Petition No. 14 of 2025, which vide order dated 20.5.2025 remanded the case to the High Court for a decision afresh. Against this backdrop, the petitioner now contends that, he would be seriously prejudiced in view of the findings recorded in the impugned judgment. He further submitted that his claim for invoking positive jurisdiction of Section 185, Cr.P.C. has not been attended to in the impugned judgment, as the Court has restricted its findings only to the extent of the positive exercise of joinder of charge under Section 239, Cr.P.C.

2. In response, the learned Special Prosecutor strongly objected to the contentions of the petitioner, arguing that the matter remanded by this Court in Civil Petition No. 14 of 2025 to the High Court was only to the extent of there being no reasons given by the High Court for maintaining the objections of the Office. He further submitted that the said order was solely confined to the question of the maintainability of the objections raised by the Office of the High Court, and not to the merits of the petition. He also objected that the very filing of the Writ Petition leading to the impugned judgment amounts to an admission on the part of the petitioner regarding sustaining of the objection raised by the Office in the earlier writ petition filed by the petitioner. And, finally, he contended that the issues involved in both these petitions are separate and distinct, applying to different circumstances.

3. Without expressing any findings on the contested submissions of the parties or passing any definite view on the findings of the High Court recorded in the impugned judgment, it suffices to state that the same does not address the question of

applicability of section 185, Cr.P.C. to the case of the petitioner. Similarly, keeping the present petition pending would also lead to unnecessary multiplicity and prolongation of litigation.

4. As far as the contention of the petitioner regarding the suspension of the subject trials before the Anti-Terrorism Courts in Faisalabad and Lahore till the final decision of the High Court in the remanded two petitions is concerned, the trials are to proceed in accordance with law. However, the matter relating to the suspension of the trials pending before the Anti-Terrorism Courts in Faisalabad and Lahore is to be decided by the High Court. We are sanguine that the High Court will proceed with the matter expeditiously without being influenced by any observations rendered herein by this Court and decide both petitions on their own merits.

5. In view of the above, this petition is converted into appeal and partially allowed, and resultantly, the impugned judgment dated 20.03.2025 is set aside, and the matter is remanded to the High Court, where the Writ Petition No. 17090 of 2025 filed by the petitioner would be deemed pending and be decided along with Case Diary No. 174515 of 2024, remanded by this Court vide order dated 20.05.2025 passed in Civil Petition No. 14 of 2025.

Chief Justice

Judge

Judge

Islamabad, the  
10<sup>th</sup> of July, 2025  
Not approved for reporting