

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

**PRESENT:**

Mr. Justice Yahya Afridi, CJ  
Mr. Justice Muhammad Shafi Siddiqui  
Mr. Justice Shakeel Ahmad

**Criminal Petition No.952 of 2023**

*(Against the order dated 19.07.2023 of the  
Lahore High Court, Rawalpindi Bench,  
Rawalpindi passed in Crl.M.No.1757-B/2023)*

*The State through Prosecutor General, Punjab*

*...Petitioner(s)*

**Versus**

*Muhammad Hanif and another*

*...Respondent(s)*

For the Petitioner(s):      Syed Zulfiqar Abbas Naqvi,  
Special Prosecutor, Punjab  
Syed Rifaqat Hussain Shah, AOR

For the Respondent(s):      Not represented

On Court's Call:              Mr. Ahmed Raza Gillani,  
Additional Prosecutor-General, Punjab

Date of Hearing:                08.04.2025

**ORDER**

**Yahya Afridi, CJ.** This petition has been filed by the State for the cancellation of bail of the accused-respondents granted by the Lahore High Court.

2.     The learned Special Prosecutor representing the State-petitioner has highlighted that there are certain findings recorded in the order under challenge which are beyond the mandate of law and are against the material which was before the Anti-Terrorism Court and the Lahore High Court.

3.     The learned Additional Prosecutor-General, Punjab, present in Court, informed that challan in this case has been submitted.

4. It is, however, noted that it would not be appropriate for this Court to pass any finding on merits, lest it may prejudice the case of either party during the trial. We are mindful of subsection 7 of section 19 of the Anti-Terrorism Act, 1997, whereunder a trial is to be concluded within seven days by the Anti-Terrorism Courts and the failure to do so entails duty on the Anti-Terrorism Court to inform the Chief Justice of the High Court concerned for appropriate directions. However, in light of the peculiar circumstances, notably the large number of accused persons, the multiplicity of cases arising from the cases of similar nature reported separately and the considerable number of prosecution witnesses, we direct that the trial in the instant case be concluded within a period of four months from the date of receipt of this order. We further direct the Anti-Terrorism Court to ensure that the rights of the accused-respondents to a fair trial should not be hindered in any manner whatsoever.

In this regard, we have been informed that, in some cases, the accused-respondents have been nominated in multiple FIRs, leading to trials, which are pending before various Anti-Terrorism Courts. Consequently, it may not be possible for them to appear in person before all of the courts, and therefore, their applications for exemption, if any, should be considered in accordance with the law. Similarly, we have also been informed that in some cases the accused-respondents have not been provided the copies of the charge and the testimony of prosecution witnesses, which requires them to prepare effective defence as mandated under the enabling provisions of the law and Article 10-A of the Constitution. This

aspect of the matter also requires attention of the Anti-Terrorism Courts. In addition, the complaints regarding the venue of the Anti-Terrorism Courts, if any, should be considered by the respective Chief Justices of the High Courts and the Administrative Judges of the Anti-Terrorism Courts.

5. In compliance of the above, the concerned Provincial Chief Justices, if they deem appropriate, may call fortnightly report from the Anti-Terrorism Courts/Administrative Judges of the Anti-Terrorism Courts to ensure that not only the proceedings are carried out expeditiously and in accordance with law, but also the rights to fair trial of the accused-respondents are not hindered in any manner, whatsoever. However, this order shall not preclude the prosecution from renewing its plea if any of abuse of bail or non-cooperation by the accused is brought on record, in consequence thereof, the might of the law is to prevail.

6. With these observations, this petition is disposed of.

Chief Justice

Judge

Judge

Islamabad, the  
8<sup>th</sup> April 2025  
Not approved for reporting  
*Arif*