

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Present:

MR. JUSTICE MAZHAR ALAM KHAN MIANKHEL
MR. JUSTICE QAZI MUHAMMAD AMIN AHMED

Criminal Petition No.6-P of 2015

*(Against the judgment dated 10.12.2014 passed by the
Peshawar High Court, Mingora Bench (Dar ul Qaza) Swat
in Cr. A. No.2-m/2013)*

State through A.G. KP, Peshawar

...Petitioner

Versus

Hakim Zada, etc.

..Respondent

For the Petitioner(s): Malik Akhtar Hussain Awan, Addl. A.G. KP

For the Respondent(s): N.R.

Date of hearing: 8.7.2021

ORDER

Qazi Muhammad Amin Ahmed, J-. Respondent was tried by a learned Additional Sessions Judge at Matta, Swat for committing *Qatl-i-Amd* of Mst. Rekhma, no other than his better half; he himself reported the incident to the police on 28.6.2012, alleging suicide, turned out as homicide during investigation; upon indictment, he was sentenced to imprisonment for life vide judgment dated 13.12.2012, however, a Division Bench of Peshawar High Court, Mingora Bench considering the death as suicidal acquitted him from the charge vide impugned judgment dated 10.12.2014, vires whereof, are being assailed, primarily, on the ground that autopsy report conclusively ruled out possibility of suicide as the medical officer noted a complete scar, without obliquity, around the neck, unambiguously suggesting manual constriction of the neck with a ligature, a circumstance that escaped notice by the High Court and, thus, clamours for explanation from the respondent with whom she spent her last moments under the same roof. Leave is granted to consider, *inter alia*, the above contention with

a view to secure the ends of justice. Send for the respondents through bailable warrant in the sum of Rs.200,000/- with one surety in the like amount, returnable to the Assistant Registrar of this Court at Peshawar, to be executed by the Station House Officer, within a fortnight.

Judge

Judge

Peshawar,
8th July, 2021
Azmat/-
'Not approved for reporting'