

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

Mr. Justice Manzoor Ahmad Malik
Mr. Justice Syed Mansoor Ali Shah
Mr. Justice Qazi Muhammad Amin Ahmed

Criminal Appeal No.19-P/2014

(On appeal from the judgment dated 14.12.2011 passed by the Peshawar High Court, Peshawar in Ehtesab Criminal Appeal No.15 of 2003).

Abdullah Jan

...Appellant(s)

VERSUS

The State & others

...Respondent(s)

For the Appellant(s) : Syed Zafar Abbas Zaidi, ASC
Haji Muhammad Zahir Shah, AOR

For The National Accountability Bureau : Syed Azeem Dad, Additional
Deputy Prosecutor General,
National Accountability Bureau

Date of Hearing : 30.04.2019

ORDER

Qazi Muhammad Amin Ahmed, J.- Abdullah Jan, appellant herein, is in receipt of a guilty verdict returned by learned Judge, Accountability Court No.1, Peshawar *vide* impugned judgment dated 13.9.2013. As a Store Keeper in Communication & Works Department, he was found to have accumulated assets, hugely disproportionate to his legitimate source of income. Feeling aggrieved, the appellant questioned *vires* of his conviction before the Peshawar High Court; the attempt met with no better fate as the learned High Court concurred with the findings recorded by the learned trial Court *vide* judgment dated 14.12.2011.

2. We have noticed that the learned High Court while affirming findings rendered by the learned Accountability Court has not discussed evidence adduced by the prosecution as well as the appellant and thus we feel handicapped to objectively verify the points of determination as well as contentions raised by the appellant and therefore consider it in the fitness of things to remit

this matter to the learned High Court so as to benefit us with detailed discussion within the contemplation of Section 367 of the Code of Criminal Procedure, 1898. This appeal is allowed, the impugned judgment is set aside, the case is remanded and shall be deemed to be pending for decision afresh. It is expected that the learned High Court would find it convenient, in the fullness of time, sooner rather than later, to decide the issue, after affording opportunity of hearing to the appellant.

JUDGE

JUDGE

JUDGE

Islamabad, the
30th of April, 2019
Ghulam Raza/*