

(Original Jurisdiction)

**CMA No.2943/14 in CMA No.2774/14 in Const. Petition No.51/2010**

(Miscellaneous matter regarding unwanted posters and banners in Islamabad)

Independent Media Corporation (Pvt.) Ltd.                      Petitioner

Versus

Federation of Pakistan through  
Ministry of Information and PEMRA

Respondents

Voluntarily Appeared: Sheikh Ahsan-ud-Din, ASC  
Mr. Taufeeq Asif, ASC  
Mr. Yaqoob Butt,

On Court's Call: Mr. Salman Aslam Butt, AGP

### On Court Notice:

For the Federation: Khawaja Ahmad Hussain, DAG

For M/o Interior: Nemo

For I.B.: Ms. Naveeda Noor, Director (Law)

For Islamabad Police: Mr. Aftab Ahmad Cheema, I.G.  
Mr. Jameel Hashmi, S.P.  
Mr. Azhar Shah, DSP  
Mr. Hakim Khan, SHO, PS. Aabpara  
Mr. Azhar Mehmood, S.I./I.O

Date of Hearing: 2.07.2014

## ORDER

We have repeatedly expressed our concern that the police has been less than diligent in this case. We note that FIR No.234/14 was lodged by Mr. Azhar Mehmood, S.I. at Police Station, Aabpara on 27.05.2014, whereafter, the police file shows extreme lack of diligence in investigating the case and bringing the culprits to book. Two accused were arrested on 27.05.2014. The main accused in the case namely Muhammad Rashid was identified more than one month ago. It is unfortunate that due to a lack of

diligent efforts and investigation, the said Muhammad Rashid was arrested only last night.

2. The Inspector General of Police, Islamabad is present in person. He was not in a position to explain as to why diligent effort in the case had not been made by the police. He also conceded that there had been incompetence ( ) in the investigation. He being head of the Police Force in Islamabad shall within seven days submit an explanation firstly, as to the reasons behind the incompetence and secondly, disciplinary action, if any, which he has taken against those who have been incompetent. It may also be that there may have been some attempt to cover-up/protect the accused. His explanation should also comment on this aspect of the case.

3. We may also add that we have seen the police file. From the same it is evident that there have been long periods when no action at all appears to have been taken in the investigation of the case. When questioned, the I.G. also conceded that he had not seen all *zimmees*. This also reflects a sorry state of affairs within the police. It needs to be emphasized again that whoever the persons were involved, could as easily have come in the same way and escaped undetected after planting 22 bombs or explosive devices instead of banners. This must be a cause of concern to the citizens of Pakistan.

4. Sheikh Ahsan-ud-Din and Mr. Taufeeq Asif, learned ASCs had pointed out in Court more than one month ago the main accused was in fact one Muhammad Rashid who could lead to those who were behind the anti-state activity. Mr. Taufeeq Asif, learned ASC also states that although he had passed on this information earlier, he will be happy to record his statement with the police even today or tomorrow.

5. The report of the I.G. shall be submitted before the next date of hearing. Re-list on **8.07.2014**. Mr. Yaqoob Butt brother of Shafiq Butt (one of the accused) present in person states that his brother is in judicial custody.

He wishes to record his statement. The police shall ensure that his statement is recorded at the earliest.

Judge

Judge

Judge

ISLAMABAD  
2<sup>nd</sup> July, 2014  
(Nasir Khan)