

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.11-P/2014

(Against the judgment dated 4.10.2013.
of the Peshawar High Court, Peshawar
passed in Criminal Quashment Petition
No.313/2011)

Javed Khan

...Appellant(s)

VERSUS

Ali Gohar Shah & others

...Respondent(s)

For the Appellant(s)	: Mr. Astaghfirullah, ASC Mr. Ajmal Khan, AOR
For the State:	: Barrister Qasim Wadud, Additional Advocate General, KPK
For respondents No.1-3	: Mr. Gul Sadbar Khan, ASC
Date of Hearing	: 30.04.2019

ORDER

Qazi Muhammad Amin Ahmed, J.- Through leave of the Court, impugned herein is judgment dated 4.11.2013, whereby a learned Judge-in-Chambers of Peshawar High Court proceeded to quash First Information Report No.5 dated 6.11.2011 registered with Police Station Anti-Corruption Establishment, Charsada. The controversy revolves around a dispute over immovable property; it was set off by Javed Khan, appellant being attorney of the owner. Learned Additional Advocate General, Khyber Pakhtunkhwa is in a unison with the appellant to maintain that there was hardly an occasion for the learned Judge to quash the First Information Report structured upon allegations/evidence that warranted investigative as well as judicial scrutiny. Learned counsel for the respondent has not faced the appellant or the learned Law Officer with much enthusiasm and instead prays for opportunity to re-agitate the plea before appropriate forums at the relevant time.

Criminal appeal is allowed, impugned judgment dated 4.11.2013 by the learned Judge-in-Chambers is set aside, while keeping respondents' options wide open to re-agitate their plea, if so advised; bail granted to them shall hold field.

JUDGE

JUDGE

JUDGE

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