

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

Mr. Justice Yahya Afridi, CJ
Mr. Justice Syed Hasan Azhar Rizvi
Mr. Justice Muhammad Shafi Siddiqui

Criminal Petitions No.1184 to 1191 of 2025

(Against the orders dated 24.06.2025 of the Lahore High Court, Lahore passed in Crl. Misc. Nos.2147-B, 2149-B, 2150-B, 2151-B, 2153-B/2025, 2155-B, 2152-B and 2148-B/2025)

Imran Ahmad Khan Niazi

...**Petitioner(s)**
(in all cases)

Versus

The State through Prosecutor General Punjab, Lahore, etc.

...**Respondent(s)**
(in all cases)

For the Petitioner(s): Mr. Salman Safdar, ASC
 Mr. Jawaid Masood Tahir Bhatti, AOR
 Assisted by:
 Mr. Mazhar Ali Haider, Advocate
 (in all cases)

For the State: Syed Zulfiqar Abbas Naqvi, Special
 Prosecutor, Punjab
 Assisted by Mr. Mudassar Hussain Malik, ASC
 Dr. Javaid Asif, DSP
 Mumtaz Kakar, Inspector
 Afzal Sandhu, Inspector
 M. Ashraf, Inspector
 Alam Langrial, Inspector
 (in all cases)

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

Date of Hearing: 21.08.2025

ORDER

Yahya Afridi, CJ. Through these petitions, Imran Ahmad Khan Niazi (the "**petitioner**") has sought leave to appeal against the orders dated 24.06.2025 passed by the Lahore High Court, Lahore in Crl. Misc. Nos.2147-B, 2149-B, 2150-B, 2151-B, 2153-B, 2155-B, 2152-B and 2148-B of 2025, whereby post-arrest bail was refused to him in case FIR Nos. 852, 768, 1570, 103, 109, 1271, 108 and 96

registered at different Police Stations Race Course, Shadman, Mughalpura, Sarwar Road and Gulberg of District Lahore on 10.05.2023, 11.05.2023, 12.05.2023 and 13.05.2023 (**'FIRs'**) in respect of offences under sections 302, 324, 395, 436, 452, 440, 427, 353, 354, 391, 186, 290, 291, 153, 152, 148, 149, 147, 109, 505, 506-B, 120, 120-B, 225-B, 337-F(i), 337-L(ii), 337-A(i), 337-F(v), 337-A(iii), 336, 449, 153-A, 153-B, 146, 131, 121-A, 121, 188, 201 and 34 PPC read with section 7 of the Anti-Terrorism Act, 1997, section 16 of the Punjab Maintenance of Public Order Ordinance, 1960 and section 11-B of Arms Ordinance, 1965.

2. We have heard the learned counsel for both the parties.

3. The main thrust of the prosecution revolves around the allegation that the petitioner hatched a conspiracy for the commission of the offences mentioned in the FIRs. To this end, the learned Special Prosecutor drew the attention of the Court to the ocular statements of three witnesses, as well as electronic media, and argued that these clearly implicate the petitioner and connect him with the commission of the alleged offences.

4. When confronted with the grant of bail rendered by this Court to Mr. Ejaz Ahmad Chaudhary, Mr. Imtiaz Mehmood, and Mr. Hafiz Farhat Abbas, who were linked to the same occurrence and charged similarly to the present petitioner, the learned Special Prosecutor responded that the case of the present petitioner was clearly distinguishable and, therefore, the principle of consistency would not apply in the instant bail matters.

5. Further, when the learned Special Prosecutor was confronted with the definite findings regarding the merits of the case recorded

in the impugned order refusing bail to the present petitioner, he explained that it is by now settled that the findings so recorded in a bail granting order are tentative in nature, to be restricted only to the proceedings of bail and are not considered during the trial of an accused.

6. The learned counsel for the petitioner, in rebuttal, vehemently opposed the contentions raised by the learned Special Prosecutor. In particular, he emphasized that the principle of consistency had to be applied in favour of the petitioner, as all three accused, namely, Ejaz Ahmad Chaudhary, Imtiaz Mahmood, and Hafiz Farhat Abbas, were charged with alleged criminal conspiracy, and thus the case of the petitioner would surely fall within the domain of parity, which had to be positively considered in favour of the present petitioner. He further explained that the cases of the present petitioner were on a better footing, in particular, than that of Ejaz Ahmad Chaudhary, who had been granted bail by this Court. He pointed out that in the case of Ejaz Ahmad Chaudhry, the investigation had been completed and the trial had commenced, whereas in the case of the present petitioner those stages had not yet been reached, and thus, his entitlement to bail is comparatively stronger.

7. This Court has noted that the definite findings recorded by the learned High Court in the impugned order, which go to the very root of the contested claims of the parties. However, without passing any findings on the legality and veracity of the said findings, our concern at this stage is confined only to the fact that such findings have been recorded at the stage of bail.

8. Lest this Court pass any findings on the merits of the case which may prejudice either party at trial, it is sufficient to state that the material brought on record regarding the alleged criminal conspiracy attributed to the petitioner requires scrutiny, and the same would be best adjudged after recording pro and contra evidence during the trial. In addition thereto, the case of the petitioner has to be positively considered in view of the principle of consistency, as others similarly placed have been granted bail by this Court.

9. In view of the above, these petitions are converted into appeals and allowed. The petitioner is granted post-arrest bail in the above mentioned cases, subject to his furnishing bail bond in the sum of Rs.100,000/- with one surety in the like amount to the satisfaction of the Trial Court in each case.

Chief Justice

Judge

Judge

Islamabad, the
21st of August, 2025
Not approved for reporting.