

**SUPREME COURT OF PAKISTAN**  
(Original Jurisdiction)

**PRESENT:**

Justice Qazi Faez Isa, CJ  
Justice Muhammad Ali Mazhar  
Justice Musarrat Hilali

**Suo Motu Case No.4 of 2021**

**AND**

**Suo Motu Case No.5 of 2021**

**AND**

**Constitution Petition No.27/2022**

*Syed Ibn-e-Hussain and others*

*...Petitioners*

***Versus***

*Federation of Pakistan through its Ministry of  
Information, Islamabad and other*

*...Respondents*

*For Petitioners/Applicants: Mr. Aqeel Afzal, In-person.  
(In SMC.4 and 5 of 2021) President, Press Association of Supreme Court.  
Mr. Abdul Qayyum Siddiqui, In-person.  
Mr. Asad Toor, In-person.*

*On behalf of Amir Mir: Mr. Jehangir Khan Jadoon, ASC.*

*On behalf of PEMRA: Syed Nayyar Abbas Rizwi, ASC.*

*For the Petitioners: Mr. Haider Waheed, ASC  
(in Const.P.27/2022)*

**On Court's Notice:**

Mr. Mansoor Usman Awan, AGP

Mr. Shehzad Shoukat, ASC  
(President SCBA)

Mr. Hassan Akbar, AG Sindh  
(via video link from Karachi)

Mr. Sultan Mazhar Sher Khan, Addl. AG KP

Mr. Ayyaz Swati, Addl. AG Balochistan

Mr. Ayyaz Shoukat, AG Islamabad

Dr. Akbar Nasir Khan, IGP, Islamabad

Mr. Waqar-ud-Din, DIG, FIA

Mr. Tariq Pervez, Dir (Law), FIA

Ch. Abid Mehmood, S.O. (Leg),  
M/o Information and Broadcasting

Date of Hearing : 29.01.2024

**ORDER**



**Qazi Faez Isa, CJ.** A complaint was filed by five journalists including the then President, Press Association of Supreme Court (**'the Association'**) Mr. Amjad Nazir Bhatti before this Court which was numbered as Suo Motu Case No.4 of 2021. The said matter was not listed for hearing for considerable time. We are informed that Mian Aqeel Afzal has been elected as President, therefore, we asked him whether he wants to pursue the matter and he said he does. An ex-President of the Association, Mr. Abdul Qayyum Siddiqui, was the second complainant and he too wants to pursue it. Mr. Amir Mir was another signatory and is represented by learned Mr. Jehangir Khan Jadoon, ASC and he too wants to pursue the matter. However, Mr. Asad Ali Toor who was also a complainant states that he no longer wants to pursue it. On our query regarding the attack on him he stated that the facts as stated by him are correct, but added that the FIR registered in respect of the assault on him was not properly investigated. Mr. Imran Shafqat the fifth complainant is not in attendance probably because he is living in Lahore.

2. The complainants before us have stated that journalists were abducted and attacked but these crimes were not properly investigated, including attacks on M/s. Asad Ali Toor, Matiullah Jan, Imran Shafqat and Amir Mir. The Attorney-General is directed to file separate comprehensive reports with regard to the police investigations of each case and whether charges were framed against any one; reports to be filed within two weeks. Mr. Toor alleged that those who carried out the attack on him themselves stated that they were members of an intelligence agency under the control of Federal Government. The concerned investigation officers must be allowed to thoroughly investigate these crimes and given access to all concerned and they must not be hampered in any way.

3. The President of the Association and that of the Islamabad High Court Journalists Association, Mr. Fayyaz Mehmood, have brought on record a joint resolution passed by the two associations on 27 January 2024, which states that the Federal Investigating Agency (**'the FIA'**) has issued notices to journalists purportedly on



the ground that the judiciary was being maligned and they apprehend that journalists will be arrested when they attend the office of FIA. The learned Attorney-General states that the honest criticism a judgment or an order is not a crime and no coercive action will be taken nor criminal case registered in this regard and extends an undertaking on behalf of the Federal Government.

4. During the hearing reference was made to a judgment of this Court (PLD 2019 Supreme Court 318) wherein the founder of Pakistan was quoted, who wanted journalists to be responsible, independent and fearless and he had welcomed criticism as under:

‘The power of the press is great, but you must remember that this power which you are wielding is a trust. Look upon it as a great trust, and remember that you are guiding honestly and sincerely the progress and welfare of your nation. At the same time I expect you to be completely fearless ... If I go wrong, or if the League goes wrong in any direction of its policy or programmed, I want you to criticise it honestly.’

5. The president of the Supreme Court Bar Association (**‘SCBA’**) is present and since the matter is one of Fundamental Rights of citizens was asked if SCBA would assist the Court and he stated that he will do so. To come up tomorrow, that is, Tuesday 30 January 2024.

Islamabad  
29 January 2024  
*Syed Farhan Ali*