

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT:

MR. JUSTICE SYED HASAN AZHAR RIZVI
MR. JUSTICE MALIK SHAHZAD AHMAD KHAN

CRIMINAL PETITION NO. 1408 OF 2025

(On appeal against the order dated 03.06.2025 of the Islamabad High Court, Islamabad in Cr. Misc. No. 1011-B of 2025)

Waqas Javed

... Petitioner

Versus

The State through Federal Prosecutor Islamabad and another

... Respondents

For the Petitioner: Mr. Zaheer ud Din Babar, ASC

For the Complainant: In person

For the State: Mr. Abdul Khaliq Thind, State Counsel, ICT

Date of Hearing: 02.09.2025

ORDER

MALIK SHAHZAD AHMAD KHAN, J.- Through the instant petition, Waqas Javed, petitioner, has assailed the order dated 03.06.2025 passed by the learned Islamabad High Court, Islamabad, with the prayer to set aside the said order and grant post-arrest bail to him in case registered vide FIR No. 230 dated 30.04.2025 under Sections 171, 419 & 420 PPC at Police Station Margalla, Islamabad.

2. Arguments heard. Record perused.

3. As per contents of the FIR, the petitioner impersonated himself as intelligence officer, as well as, as a media anchor and also made illegal demands from Fahad Iqbal, Inspector FIA and asked him to share source report regarding some unlawful activities about white collar crimes carried out in the local territory. The petitioner also extended threats to the complainant party, hence, the FIR of this case.

4. The offences under Sections 420 and 171 PPC are bailable and grant of bail in such like offences is the right of an accused whereas the offence under Section 419 PPC does not fall within the ambit of prohibitory clause of Section 497 Cr.P.C. and grant of bail in such like cases is a rule while refusal is an exception. No exceptional ground has been pointed out by the learned Law Officer to refuse bail to the petitioner, hence, the petitioner is entitled to the relief of post-arrest bail as observed in the cases of Khalil Ahmed Soomro Vs. The State (PLD 2017 SC 730) and Muhammad Tanveer Vs. The State (PLD 2017 SC 733). Although it is argued by the learned Law Officer that the petitioner is also involved in one other criminal case but it is by now well settled that mere involvement of an accused in some other case(s) by itself is no ground to refuse bail to him if otherwise he is entitled to the said relief on merits. Reference in this context may be made to the cases of Muhammad Rafique Vs. The State (1997 SCMR 412) and Jamal ud Din alias Zubair Khan Vs. The State (2012 SCMR 573). Consequently, this petition is converted into an appeal and allowed. The impugned order is set aside. The petitioner is granted post-arrest bail subject to his furnishing bail bonds in the sum of Rs.200,000/- with one surety in the like amount to the satisfaction of the learned Trial Court.

JUDGE

JUDGE

Islamabad, the
2nd of September, 2025
Not Approved For Reporting
Khurram