IN THE SUPREME COURT OF PAKISTAN (ORIGINAL JURISDICTION)

PRESENT:

MR. JUSTICE IFTIKHAR MUHAMMAD CHAUDHRY, CJ

MR. JUSTICE MUHAMMAD NAWAZ ABBASI

MR. JUSTICE SAIYED SAEED ASHHAD

HUMAN RIGHTS CASE NO. 5446 OF 2006

(Complaint of Zahda Bibi)

Attendance:

Complainant:

In person

On Court Call:

Mr. Khadim Hussain Qaiser, Addl. A.G.

Mr. Shahid Hafeez, DSP Mr. Abdul Razaq, Inspector

Mr. M. Iqbal, SI/IO with detenues

Mst. Ghulam Fatima, Organizing Secretary of, All Pakistan Bhutta Mazdoor Union, Lahore (NGO) Mr. Faisal Khalid Cheema (*Alleged accused*)

- 1. Irfan
- 2. Suleman
- 3. Imran
- 4. Zahid Ali
- 5. Muhammad Rafiq
- 6. Muhammad Siddique
- 7. Muhammad Shahid
- 8. Muhammad Rizwan
- 9. Muhammad Basharat
- 10. Muhammad Abbas
- 11. Mst. Zohra Bibi
- 12. Mst. Samina
- 13. Mst. Maria
- 14. Mst. Saadia, all through Mst. Ghulam Fatima & Muhammad Siddique Khan, Asc

*_*_*

- 15. Shaukat
- 16. Mst. Mumtaz Begum
- 17. Mst. Neelum Begum
- 18. Ali Hassan,

allegedly recovered.

Date of Hearing:

7.11.2006

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ORDER

In this complaint, allegation of slavery has been attributed to one Faisal Khalid Cheema. Presently the persons named hereinabove allegedly have succeeded in making their escape from his hostage and there are serious allegations of abduction, sexual intercourse and zina-bil-jabar with minor girls. Statedly they are residing at Lahore with an NGO. From their version, it appears that they have apprehension of causing damage to their person and property in Gujranwala. It is also alleged that the police being under the so called influence of Faisal Khalid Cheema, is not conducting investigation. Their allegations are substantiated by one Faiz, who after becoming active for the release of his family members, has been involved in a theft case registered against him in 1999 which, for the last about 7 years, was lying domant but at the instance of said Faisal Khalid Cheema, has been activated and presently he is confined in custody and a bail application submitted by him is pending disposal before the Court of Magistrate at Gujranwala. Faisal Khalid Cheema has also appeared and vehemently denied the allegations and stated that Mst. Ghulam Fatima, who is Organizing Secretary of All Pakistan Bhutta Mazdoor Union Organization, demanded a handsome amount from him which he refused to pay on which instant proceedings have been launched to blackmail him. Be that as it may, as there are controversial allegations and counter allegations of the parties, therefore, we consider it appropriate to send this matter to District & Session Judge, Lahore to conduct a thorough inquiry after providing opportunity of defence to every one and submit report before the next date of hearing. I.G. Police, Punjab is directed to provide protection to the complainant and her companions/ family members and if any information is received in respect of illegal confinement of any member of the family, necessary steps shall be taken by him in accordance with law to effect their recovery and proceed against the culprits. Similarly,

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assistance shall also be provided by police to District & Session Judge, Lahore for completion of inquiry and in the meantime, the bail application of the said Faiz before the magistrate at Gujranwala, if pending, the same shall be decided on merits in accordance with law. Adjourned to 11.12.2006.

Islamabad 7.11.2006 Iftikhar

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IN THE SUPREME COURT OF PAKISTAN

(Original Jurisdiction)

PRESENT:

MR. JUSTICE MIAN SHAKIRULLAH JAN.

MR. JUSTICE SAYYAD SAEED ASHHAD.

HUMAN RIGHTS CASE NO. 5446/2006.

Complaint by Zahda Bibi.

For the Complainant:

Mr. Zafar Chaudhry, ASC.

Samina. Maria. Sadia. Zahida Bibi.

Rafique.

Muhammad Inayat.

Imran. Zahid. Bint-e-Rut.

On Court Notice:

Ch. Khadim Hussain Qaiser, Addl, A.G.

Malik Imtiaz Ahmed, S.P Investigation.

Mr. Shahid Hafeez, DSP. Mr. Muhammad Iqbal, S.I.

For the accused (Faisal Khalid

Cheema):

Dr. Babar Awan, ASC.

Date of Hearing:

11.12.2006.

ORDER

The report, as required from Sessions Judge has not been submitted to the Court and intimation for grant of further time to complete the report has been forwarded to the Registrar of this Court. The latter states in addition to the investigation/inquiry which is being conducted by the Sessions Judge, the police has also initiated investigation in the case and in consequence of the investigation, the two victims Mst. Samina and Mst. Sadia were got medically examined and needs some time for further investigation and arrest of some of the absconder accused. Adjourned to 06.01.2007.

ISLAMABAD. 11.12.2006. (Farrukh)



IN THE SUPREME COURT OF PAKISTAN (APPELLATE JURISDICTION).

PRESENT: MR. JUSTICE MIAN SHAKIRULLAH JAN MR. JUSTICE SAIYED SAEED ASHHAD

HUMAN RIGHT CASE NO. 5446 OF 2006.

(Complaint by Zahda Bibi)

Attendance:

Complainant:

In person alongwith victims:

On Court Notice:

Ch. Khadim Hussain Qaisar, Addl. A.G. Malik Imtiaz Ahmed, S.P. Investigation.

Mr. Shahid Hafeez, DSP Mr. Muhammad Iqbal, S.I.

Date of hearing:

08.01.2007.

ORDER.

Report to be submitted by the Sessions Judge, is still awaited. To come up on 22^{nd} January, 2007.

Islamabad, the 08.01.2007. *MAZ*

<u>IN THE SUPREME COURT OF PAKISTAN</u>

(Appellate Jurisdiction)

PRESENT

Mr. Justice Iftikhar Muhammad Chaudhry, HCJ. Mr. Justice Mian Shakirullah Jan Mr. Justice Saiyed Saeed Ashhad , V

HUMAN RIGHT CASE NO.5446 OF 2006.

(Complaint by Mst. Zahida Bibi)

<u>Attendance</u>

Mr. Faisal Khalid Cheema, (Accused) in person

Date of hearing

22-01-2007.

ORDER

IFTIKHAR MUHAMMAD CHAUDHRY, CJ.- In response to Court's Order dated 7th November 2006 learned Sessions Judge has submitted a detailed report with the conclusion that allegations contained in the application have not been proved. It may be noted that learned Sessions Judge has recorded the evidence and after evaluating the same has drawn such conclusion. A perusal of the report indicates that, perhaps, a device has been adopted for causing harassment to the other side.

2. As the matter has been checked out and no proof to substantiate allegations contained in application has been furnished, therefore, we have strong reasons to agree with the conclusion drawn by the Sessions Judge.

Thus no further action is called for as such application is dismissed. However, applicant/complainant is warned to remain careful in future from filing such baseless and frivolous applications otherwise she will be dealt with strictly in accordance with law.

Islamabad the 22"d January 2007.

MS/* a 31/10

جناب دی کی اُو صاف کوه الوکر ۔ الدارش عام بن ادر فعرب فاندان که دولت ازارع الد تربیا الله ورس عنعافالدومية الدين الدوكين الموكيدة كى قىيدىسى تى مون سى كو لى يى دىكە كالى ھاشتىكارى ا درگر مل ما موتوره - در لفا رکها تما - فیسعل فالریمس در وقت کی رو فی معلموه كو دروينالها- صله زوفت عمار الوعنبرالساني الوس كيا ما نائع۔ می کہ مارے مردن اس مورٹوں کو نما کے تھے در مين نشر كافاك مال ابي عابراك عارى : عبول كا عنرون ا قو كليلة دية بين اور الجيبون ك عد ذناع الجبر صبے کیناؤے مرم ے و تکب عوتے سنے میں۔ فری ترم برس کی بیری معربر بار با ایک جنسی نشید د کا نشان ال چلی ہے۔ ہے نہیں ول کی اس انکا ظام ہم سنے ے علاول كَوْلَا مِنْ الْمَاء مِنْ الْمُعَامِ مِنْ عَلَى وَمُعَالِمُ مِنْ اللَّهِ مِنْ اللَّهُ مِنْ اللَّهِ مِنْ اللَّالِي مِنْ اللَّهِ مِنْ اللَّهِ مِنْ اللَّهِ مِنْ اللَّهِ مِنْ الل تدیر شرفی این کارندوں کے اقدیم ہے جب عیرے کلم کوالا اندسی ہمیں دھکی دنیا تقایہ او بیاں سے نطانی کوشف کی تو تحمار ادم المب مقدمات ساوت کا کوسادی زنگی جبلول میں رئے رہوگے۔ طریسط اور جبلوں کی ڈنو کی گزارے کے ڈر نے کو اپنی کی بی بیمیوں کے اقع میرے والی دیا در دوں کو بدوانست ان ا مکاره برسول میں خاہر می کوئی عنبر ا فلدتی هوکت ہو امد اسا نبت سوز فلم مع جدا فيواب مم ير مركي يو- في إدراهم الله وا دالان وقت دورة أكدار عِمَاكُ لَكُلُمْ مِن مَا مِنْ مِنْ مِنْ مِنْ مِنْ مِنْ الْ مِمْرَاقِ مِنْ اللَّهِ الْمُرْكِي الرَّفَّ اللَّهِ ال

ماريم - قايم - قايم - مايت عالي . فيل تمييه - روسيه - تيونت جار جنعلی را می و افغان رفته دادول کی برل سی همزری بر نقارتها به ادر تا عالی برنوب انلی قدید میں سری ۔ جبار میم یے رے را مال کے عالم میں اس وقت ر رس رس رس رس رس رس ا المتهاري . لد بدور والمنع الدين المن المعاني عانين المجانة على الدينور والأسرا المتهاري المتهاري المتهاري المتهاري المتهاري منادیالا- ایم عنوس کوکی اس اس نوکی داشت به ایم بهارا ساره مین - مرزی استدعامی مرسی بینی عدیم کا جربی کا فی کروا ساره مین - مرزی استدعامی مرسی بینی عدیم کا جربی واقعی میزاری داندی در نده معنت کو قیرار واقعی سیزاری داندی داند زناد الجيد كا موتكس سوتاريا هيه - نيز فيما خالده به امراس دولي عیائی وننبره انتہائی بااخریمی - بعیمی ضطرہ سے کہ برنوک کیس بھیں فتل یہ فردی۔ يا ييم برلسي ما تومل سيام فلمن مجلوف فقدمات د بنواليس دي. ب ری زنرگیوں کو نعے مظام سے تحفظ دلوائیں۔ اسر سیارے جو افراد انجی تک ان عَ خَرِفَهُ مِن مِن - ان امن او كو في العنور سالي دلواس -سی نا عمر آیک عمر درازی اور بلید فرنب کے لیے دعاگو دمیول کی۔

- judge - jegopj